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POPULAR SOVEREIGNTY.

The Rights of Inhabitants of the Territories.

Judge Douglas in Reply to Attorney-General Black.

In *Harper's Magazine* for September I published an article on the dividing line between federal and local authority in the Territories of the United States. My sole object was to vindicate a principle to which I had been committed for many years—and in connection with which I had recently been assailed with great bitterness and injustice—by a fair and impartial exposition of the subject, without assailing any person or placing any one in a false position. A few weeks afterwards an anonymous review of my article made its appearance—first in the Washington *Constitution*, and subsequently in pamphlet form—under the following caption: "Observations on Senator DOUGLAS' views of Popular Sovereignty, as expressed in *Harper's Magazine* for September, 1859."

Instead of replying to the well-known propositions which I had so often announced and defended in the Senate and before the country for the last ten years, *and which were endorsed and expressed in Harper's Magazine for September*, the reviewer deemed it consistent with fair-dealing to ignore my real views as expressed in the article to which he professed to reply, and attribute to me opinions which I had never entertained or expressed on any occasion. When the pamphlet containing this perversion of my opinions was first placed in my hands, I at once pointed out some of the most obvious and palpable of those misrepresentations, and denounced them in emphatic and indignant language in a speech at Wooster, Ohio.

Here I was content to let the matter rest, and allow the public to form an impartial and unbiased opinion upon the real positions which I had assumed in *Harper's Magazine*, without any reply from me to the *legal* argument which the writer of the anonymous pamphlet had made in opposition to my *alleged* views upon a *political question*.

On the 6th of this month, however, the same newspaper contained an appendix to this pamphlet, in reply to so much of my speech at Wooster as pointed out and denounced the misrepresentations of my views as expressed in *Harper*, and announced Judge BLACK, the Attorney-General of the United States, as the author of the pamphlet and appendix. Since the Attorney-General of the United States has thus avowed the authorship of these assaults upon me, and flooded the country with them, with the view, doubtless, of giving all aspirants, expectants, and incumbents of office to understand that he speaks "by authority" of those whose legal adviser he is, and that they are all expected to follow his example and join in the crusade, I have concluded to reply to so much of his "Observations" as are calculated to obscure my real position by persistingly attributing to me opinions which I have never expressed, nor for a moment entertained.

"FIGHTING THE JUDICIARY."

For instance, the first act of injustice which I pointed out at Wooster, and proved to be untrue by undeniable facts, was his representation of me as "fighting the judiciary;" commanding the Democratic Party to "assault the Supreme Court of the United States;" not treating the Court with "decent respect;" and much more of the same tenor. All of which was calculated to convey to those who might not happen to known the contrary, the idea that, "in *Harper's Magazine* for September, 1859," I had assaulted, traduced, and indecently treated the Supreme Court of the United States on account of their decision in the DRED SCOTT case! It was shown in my speech at Wooster that all these representations were pure inventions; that I had not written nor spoken one word in *Harper* or elsewhere in disparagement of the Court or its decisions; that every reference or allusion to the Court and its decision was in respectful terms of unqualified approbation; that in several places in the *Harper* article I not only indorsed, but largely quoted from the Dred Scott decision in confirmation of my own views; that I had made more speeches in defence of the Court in connection with the Dred Scott case than any living man; that in the Illinois canvass last year, when assailed by the combined forces of the Black Republicans and the Federal office-holders, under the advice of my present assailants, I defended the Court in more than one hundred speeches against their enemies and mine; and, in conclusion, I defied the writer of this pamphlet, and all others who are reckless enough to indorse its statements, to produce one word ever spoken or written by me disrespectful of the Court or in condemnation of its decision! Well, Judge BLACK, for himself and as Attorney-General for my confederated assailants, has replied to my Wooster speech in his appendix; and what has he said on this point? What reply has he made to my positive denial of the truth of his allegations, and my demand for the production of the proof? Does he repeat the charge and produce the evidence to sustain its truth; or does he retract the charge and apologize for the injustice he has done me? I had supposed that there was no alternative for a man of honor but to do the one or the other! Judge BLACK has done neither! Nor is his conduct less exceptionable in respect to his allegation that I advocate the confiscation of private property by the Territorial Legislature, or that I have alternately affirmed and denied that the Territories are sovereign political communities or States, or that the Jeffersonian plan of government for the Territories, which I alleged to have been adopted, was in fact "rejected by Congress," or that I was attempting to establish a new school of politics by forcing new articles into the creed, and new tests of Democratic faith, in violation of the Cincinnati platform.

It is to be regretted that all political discussions cannot be conducted upon these elevated principles of fairness and honor which require every gentleman to state his antagonist's position fairly and truly, and correct any mistake he may have committed inadvertently the moment it is pointed out to him.

That I am or ever have been in favor of the confiscation of private property by the action of a territorial legislature, or by any other power on earth, is simply untrue and absurd. Nor is there any foundation or excuse for the allegation that I have ever assigned as a reason for such confiscation that the Territories were sovereign political communities.

THE TERRITORIES, WITHOUT BEING SOVEREIGN COMMUNITIES, HAVE CERTAIN ATTRIBUTES OF SOVEREIGNTY.

I have never said or thought that our Territories were sovereign political communities, or even limited sovereignties like the States of the Union. Sovereign States have the right to make their own constitutions and establish their own governments, and alter and change the same at pleasure. I have never claimed these powers for the Territories, nor have I ever failed to resist such claim when set up by others, as was done by the friends of a State organization in New-Mexico and Utah some years ago, and more recently by the supporters of the Topeka and Lecompton movements in Kansas, where they attempted to subvert the authority of the territorial governments established by Congress, without the consent of Congress.

While, therefore, I have always denied that the Territories were independent sovereign communities, it is true, however, that during the last ten years I have often said, and now repeat my first conviction, that the people of the Territories are entitled to all the rights, privileges and immunities of self-government, in respect to their internal polity, subject only to the Constitution of the United States. The Attorney-General is unable to comprehend how the people of a dependent colony or Territory, can have any "attribute of sovereignty about them?" Sometimes a child can be made to comprehend a proposition which he does not understand, by presenting to his mind an example which is familiar to him. The American colonies, prior to the Revolution, presented thirteen examples precisely in point. The Attorney-General must be presumed to have read the history of the Colonies, and to be familiar with these examples. The fact cannot be successfully controverted, and ought to be admitted, that the Colonies did claim, possess and exercise legislative power in their respective provincial legislatures over all rightful subjects of legislation in respect to their domestic concerns and internal polity. They enacted laws for the protection of life, liberty and property; and in pursuance of those laws, they deprived men of life, liberty and property, when the same became forfeited by their crimes. They exercised these high attributes of sovereign power during the whole period of their Colonial dependency; and were willing to remain dependent upon the crown and obedient to the supremacy of Parliament in all matters which affected the general welfare of the empire without interfering with the internal polity of the Colonies. So with our Territories. They possess legislative power, which is only another form of expression for sovereign power, over all rightful subjects of legislation in respect to their internal polity, subject, of course, to the Constitution of the United States.

THE SOURCE OF THE POWER OF SELF-GOVERNMENT.

But the Attorney-General does not perceive the analogy between the Colonies and the Territories in this respect; nor does he recognize the propriety of tracing the principles of our government back through the Revolution for the purpose of instituting an inquiry into the grounds upon which the Colonies separated from the parent country, and the fundamental principles established by the Revolution as the basis upon which our entire political system rests. Such an inquiry is deemed mischievous because it is calculated to disturb the repose of those who hold that the Territories "have an attribute of sovereignty about them;" that a "Territory has a superior in the United States Government upon whose pleasure it is dependent for its very existence, in whom it lives and moves and has its being; who has made and can unmake it with a breath;" that it is only "a public corporation established by Congress to manage the local affairs of the inhabitants, like the government of a city established by a State Legislature;" and that "there is probably no city in the United States whose powers are not larger than those of a Federal Territory." The learned Attorney-General, having convinced himself by the study of that "primer of political science," which he claims to have "mastered," and kindly commends to my perusal, that Congress possesses the same sovereign power over the people and governments of the Territories that a sovereign State has over the municipal corporations of all the cities within its limits, or that the British Parliament claimed over the American Colonies when it asserted its right to bind them in all cases whatsoever, deprecates all inquiry into the foundation of this right, and especially into the mode in which the claim was met by the Colonies when it was attempted to be enforced by GEORGE III. and his royal Cabinet.

The authority of the King's Attorney-General, and the terror which his anathemas were calculated to inspire, when supported by the King and his Cabinet, were not sufficient to stifle the inquiry in those days. So long as this right of local self-government was not wantonly outraged, and its actual enjoyment practically obstructed by the action of the Imperial Government, the colonies were content with the possession and enjoyment of this sovereign power, without inquiry into its *origin* or *source*. But the instant that the British Government attempted, both as a matter of right and in fact, to deprive them of the "free and exclusive power of legislation in their several Provincial Legislatures in all cases of taxation and internal polity," a serious and anxious inquiry was instituted into the origin and source of all legitimate political power. The result of the investigation was the disclosure of a fundamental and irreconcilable difference of opinion between the colonies and the British Government in respect to the origin and source of all rightful political authority, which laid the foundation of our American Theory of Government in antagonism to the European Theory. The colonies contended, on the one hand, that the power of self-government was inherent in the people of the several colonies, and could be exercised only by their authority and consent; while the British Ministry insisted that the King of England and his Government were the fountain and source of all political power and rightful authority in the colonies, which could be delegated to the people or withheld from them at the pleasure of the Sovereign. Here we find the first practical assertion on this Continent of the American theory that the power of self-government is inherent in and emanates from the people in each State, Territory, or colony, in opposition to the European theory that the King or Monarch is the fountain of justice and the source of all legitimate power. It is to be hoped that the Attorney-General will be able to comprehend the distinction between these two antagonistic theories, since our entire Republican system rests upon it, and the conduct of our revolutionary fathers can be vindicated and justified only by assuming that the European theory is wrong and the American theory right. So long, I repeat, as the British Government did not, in fact, deprive the colonies of the power of self-government in respect to their internal affairs, differences of opinion could be tolerated upon the theoretical question in regard to *the source* of the power; for the colonies were at liberty to claim, as they did claim, that they exercised it of their own inherent right, in conformity with the royal charters, which only prescribed the form of government under which they were to exercise exclusive legislation in all cases affecting their internal polity. While, on the other hand, the British Government could contend, as they did contend, that the colonies possessed the power, not in their own right, but as a favor graciously bestowed by the crown. Practically it made no difference, therefore, to the colonies, whether the powers were *inherent* or *delegated*—whether they possessed it in their own right, or as a gracious boon from the crown, so long as they were not disturbed in its exclusive possession and unrestricted enjoyment. So it is with the people of the Territories. It makes no practical difference with them whether the power of self-government, subject only to the Constitution, is inherent in themselves, and *recognized* by Congress in the organic act; or whether Congress possesses sovereign power over the Territories for their government, and has *delegated* it to them. Whichever be the source of the power the result is the same so long as their right of local self-government is not invaded.

ALL LEGISLATIVE POWERS APPERTAIN TO SOVEREIGNTY.

By the terms of the Kansas-Nebraska act, and, indeed of all territorial governments now in existence, "the legislative power of the Territory extends to all rightful subjects of legislation consistent with the Constitution of the United States" and the provisions of the organic acts.

In the face of this general grant or recognition of "legislative power" over "all rightful subjects of legislation," the Attorney-General tells us that the territories have no attribute of sovereignty? "*All legislative powers appertain to sovereignty*," says Chief Justice MARSHALL. Every legislative enactment involves an exercise of sovereign power; and every legislative body possesses all the attributes of sovereignty to the extent and within the sphere of its legislative authority. These propositions are recognized by the elementary writers as axiomatic principles which lay at the foundation of all municipal law, and are affirmed in the decisions of the highest judicial tribunals known to our Constitution.

What, then, does the Attorney-General mean when he says that the Territories "have no attribute of sovereignty about them?" Surely he does not wish to be understood as denying that the Kansas-Nebraska act, and the organic act of every other Territory in existence, declares that "the legislative power of the Territory shall extend to all rightful subjects of legislation." Does he mean to be understood as asserting that these several acts of Congress are all unconstitutional and void? If not, the Territories certainly have "legislative powers;" and the Courts hold that "all legislative powers appertain to sovereignty."

SLAVERY INCLUDED IN THE GRANT OF LEGISLATIVE POWER.

The fact is undeniable that it was the obvious intention of Congress, as manifested by the terms of these several organic acts, to recognize the right of the Territorial Legislature to exercise those legislative powers which the courts and jurists say appertain to sovereignty, over all rightful subjects of legislation so far as the Constitution will permit; and that Slavery was not excepted, nor intended to be excluded from those "rightful subjects of legislation," for the plain and unerring reason that the fourteenth section of the same act provides that it is "the true intent and meaning of this act not to legislate *Slavery* into any Territory or State, nor to exclude *it* therefrom, *but to leave the people thereof perfectly free to form and regulate their domestic institutions in their own way*, subject only to the Constitution of the United States."

"Slavery," then, was not intended to be excepted from those "rightful subjects of legislation," but was *the subject* which was especially left to the people of the Territory to decide for themselves. The people of the Territory were not only to "regulate" the institution of Slavery to suit themselves, but were to be left "perfectly free to *form* and regulate their own domestic institutions in their own way." The people were to be left free "to legislate Slavery into any Territory," while they remained in a territorial condition, "or to exclude it therefrom," and "to legislate Slavery into any State," after their admission into the Union, "or to exclude it therefrom," just as they pleased, *without any interference by Congress*, and subject to no other limitation or restriction than such as the Constitution of the United States might impose.

The right of legislating upon the subject of Slavery in the Territories being thus vested exclusively in the legislature thereof, in the same manner, and subject to the same restrictions as all other municipal regulations, Congress, out of an abundance of caution, imposed a condition which would have existed even if the organic law had been silent in relation to it, to wit: that the Territorial Legislature should make no law upon the subject of Slavery, or upon any other rightful subject of legislation *which was not consistent with the Constitution of the United States*. This is the only limitation or restriction imposed upon the power of the Territorial Legislature upon the subject of Slavery; and this limitation would have existed in its full force if the organic act had been silent upon the subject, for the reason that the Constitution being the paramount law, no local law could be made in conflict with it. Whether any enactment which the Territorial Legislature may pass, in respect to Slavery or any other subject, is or is *not* consistent with the Constitution, is a *judicial question* which the Supreme Court of the United States alone can authoritatively determine.

In order to facilitate the decision of all questions arising under the territorial enactments upon the subject of Slavery especially, a provision was inserted in the 10th section of the Kansas Nebraska bill, that "writs of error and appeals from the final decisions of the said Supreme Court (of the Territory) shall be allowed, and may be taken to the Supreme Court of the United States," without reference to the usual limitations in respect to the value of the property, "*in all cases involving title to slaves*," and upon any writ of *habeas corpus, involving the question of personal freedom*." This peculiar provision was incorporated into that bill for the avowed and only purpose of of enabling every person who might feel aggrieved by the Territorial legislation, or the decisions of the Territorial Courts in respect to Slavery, to take an appeal or prosecute a writ of error directly to the Supreme Court of the United States, and there have the validity of the Territorial law, under which the case arose, and the respective rights of the parties affected by it, finally determined. Every man who voted for the Kansas-Nebraska bill agreed to abide, as we were all previously bound by the Constitution, to respect and obey all such decisions when made, in this form the Kansas-Nebraska bill became a law. In pursuance of its provisions, the Legislature of Kansas Territory have at different times enacted various laws upon the subject of Slavery. They have adopted friendly and unfriendly legislation. They have made laws for the protection of slave property, and repealed them. They have provided judicial remedies, and abolished them. They have afforded ample opportunities to any man who felt aggrieved by their legislation to present his case to the judicial tribunals, and obtain a decision from the Supreme Court of the United States upon the validity of any part, or the whole, of this legislation upon the subject of Slavery in that Territory. No man has seen proper to present his case to the Court. No territorial enactment upon this subject has been brought to the notice of the Court. No case has arisen in which the validity of these or any other territorial enactments was involved, even incidentally. There was no one point or fact in the Dred Scott case upon which the validity of a territorial enactment, or the power of a territorial Legislature, upon the subject of Slavery, could possibly have arisen. In that case, so far as the Territories were concerned, the only question involved was the constitutionality and validity of an *act of Congress* prohibiting Slavery on the public domain where there was no territorial Government, and the Court, in their decision, very properly and emphatically repudiated and exploded the doctrine that Congress possesses sovereign power over the subject of Slavery in the Territories, as claimed by Mr. BUCHANAN in his letter to Mr. SANFORD, and by the Republicans in their Philadelphia Platform. The Dred Scott case, therefore, leaves the question open and undecided in respect to the validity and constitutionality of the various legislative enactments in Kansas and New-Mexico, and the other Territories upon the subject of Slavery. Whenever a case shall arise under those or any other territorial enactments, affecting slave property or personal freedom in the Territories, and the Supreme Court of the United States shall decide the question, I shall feel myself bound, in honor and duty to respect and obey the decision, and assist in carrying it into effect in good faith. But the Attorney-General persists in his objection that the Territories cannot legislate upon the subject of Slavery for the reason that such legislation involves the exercise of sovereign power. The Territory of New-Mexico exercised sovereign power last year in passing an efficient code for the protection of slave property. Does the Attorney-General still insist that it is unconstitutional? When he shall institute judicial proceedings to test that question, I doubt not his friend Mr. LINCOLN will volunteer his services to assist him in the argument, in return for the valuable services rendered him in the Illinois canvas last year which involved this identical issue. Since I have had some experience in defending the right of the Territories to decide the Slavery question for themselves, in opposition to the joint efforts of these distinguished opponents of popular sovereignty, I am not sure that I would not volunteer to maintain in argument before the Supreme Court the constitutionality of the slave code of New-Mexico, even against such fearful odds.

But let us see upon what subjects the Territorial Legislatures are in the constant habit of making laws without objection from the Attorney-General or anybody else.

PROTECTION OF LIFE, LIBERTY, AND PROPERTY.

The Territories are in the habit of enacting laws for the protection of the life, liberty, and property of the citizen, and, in pursuance of those laws, they are also in the habit of depriving the citizen of life, liberty, and property, whenever the same may become forfeited by crime. The right and propriety of exercising this power by the Territorial Governments have never been questioned. What higher act of sovereign power can any Government on earth perform than to deprive a citizen of life in obedience to a law of its own making? If liberty be deemed more sacred than life, it is only necessary to remark that the Territories do, in like manner, deprive a citizen of liberty by imprisoning for a term of years or for life, at hard labor or in solitary confinement, in compliance with the Territorial law and judicial sentence. Can anything short of sovereign power lawfully deprive a citizen of his liberty, load his limbs with chains, and compel him to labor upon the public highways or within the prison walls for no other offence than violating a Territorial law? The property of the citizen is also seized and sold by order of Court, and the proceeds paid into the public treasury as a penalty for violating the laws of the Territory. If it be true that the Territories "have no attribute of sovereignty about them," the people of the United States have a right to know from their Attorney-General why he, as the highest law officer of the Government, permits, and does not take the requisite steps to put a stop to the exercise of these sovereign powers of depriving men of life, liberty, and property in Kansas, Nebraska, New-Mexico, and the other Territories, under no other authority than the assumed sovereignty of a Territorial Government? It is no answer to this inquiry to say that the sufferers in all these cases had forfeited their rights by their crimes. My point is that it requires sovereign power to determine by law what acts are criminal—what shall be the punishment—the conditions upon which life may be taken, liberty restrained, and property forfeited. This sovereign power in the Territories is vested exclusively in the Territorial Legislatures—Congress never having assumed the right to enact a criminal code for any organized Territory of the United States.

POWER OF TAXATION FOR TERRITORIAL PURPOSES.

The territorial governments are also in the habit of imposing and collecting taxes on all private property, real and personal, within their limits, to pay the expenses incident to the administration of justice, and to raise revenue for county, town, and city purposes, and to defray such portion of the expenses of the territorial government as are not paid by the United States; and in the event that the owner refuses or fails to pay the assessment, the territorial authorities proceed to sell property therefor, and transfer the title and possession to the purchaser. The only limitation on the power of the territory in this respect is the proviso in the organic law, that "no tax shall be imposed upon the property of the United States; nor shall the lands or other property of non-residents be taxed higher than the lands or other property of residents." This exception and qualification in respect to the property of the United States and of non-residents, is conclusive evidence that Congress intended to recognize the right of the territorial government, to exercise the sovereign power of taxation in all other cases. Will the Attorney-General inform us whether the taxing power is an attribute of sovereignty? And whether he intends by construction to nullify so much of the organic acts of the several Territories as recognize their right to exercise the power of raising revenue for territorial purposes. It is important that the citizens of the United States—non-residents as well as residents of the Territories—should know whether all of their property in the Territories is exempt from taxation or not. In the classical language of the Attorney-General, this "legislative robbery," which can alone proceed from sovereign power, should not be permitted to go on, if it be true that the Territories "have no attribute of sovereignty about them."

POWER OF CREATING CORPORATIONS.

The territorial legislatures are also in the habit of creating corporations—municipal, public and private—for counties, cities, and towns, railroads and insurances offices, academies, schools, and bridges. Is not the power to create a corporation an "attribute of sovereignty?" Upon this point Chief Justice MARSHALL, in delivering the unanimous opinion of the court, once said: "On what foundation does this argument rest? On this alone; that the power of creating a corporation is one appertaining to sovereignty, and is not expressly conferred on Congress. This is true. But all legislative powers appertain to sovereignty."

ONE OF TWO CONCLUSIONS FOLLOWS.

Since it can no longer be denied, with any show of reason or authority, that all legislative powers appertain to sovereignty, the Attorney-General will be obliged to take shelter behind one of the two positions—

Either that the Territories have no legislative powers, and, consequently, no right to make laws upon any subject whatever;

Or, that they have sovereign power over all rightful subjects of legislation consistent with the Constitution of the United States, as defined in the organic acts, without excepting Slavery.

With all due respect, the first proposition is simply absurd. It contradicts our entire history. It nullifies the most essential provisions of the organic acts of all our Territories. It blots out the legislative department in all our territorial governments. It leaves the people of the Territories without any law, or the power of making any, for the protection of life, liberty or property, or of any valuable right or privilege pertaining to either; and drives the country, by the necessity of the case, to accept the Philadelphia Republican platform of 1856, "that Congress possesses sovereign power over the Territories of the United States for their government."

The second proposition, however, is in harmony with the genius of our *entire political system*. It rests upon the fundamental principle of local self-government, as laid down by the Continental Congress in 1774, and ratified by the people of each of the thirteen colonies in their several provincial legislatures as the basis upon which the revolutionary struggle was conducted.

It preserves the ideas and principles of the revolution as affirmed in the Jeffersonian plan of government for the Territories in 1784, and confirmed by the Constitution of the United States in 1787.

It conforms to the letter and spirit of the compromise measures of 1850, and of the Kansas-Nebraska act of 1854, and of all our territorial governments now in existence.

"It is founded," as Mr. BUCHANAN said in his letter accepting the Presidential nomination, "on principles as ancient as free government itself, and in accordance with them, has simply declared that the people of a Territory, like those of a State, shall decide for themselves whether Slavery shall or shall not exist within their limits." "What a happy conception, then, was it for Congress to apply this simple rule—that the will of the majority shall govern—to the settlement of the question of domestic Slavery in the Territories"—*Inaugural Address of President Buchanan.*

IS SLAVERY A FEDERAL OR LOCAL INSTITUTION?

Since the Attorney-General persists in his denial that the Territories can legislate for themselves upon the subject of Slavery, there is no alternative left to him but the assumption that Congress possesses sovereign power over that question in the Territories as claimed by the Republicans in their Philadelphia Platform and by Mr. BUCHANAN in his letter to Mr. SANFORD. Surely the power to legislate upon that and all other rightful subjects of legislation exists somewhere. Every "right of property, private relation, condition or *status*, lawfully existing" in this country, must of necessity be a rightful subject of legislation by *some* legislative body. Where does this sovereign power of legislation for the Territories reside? It must be in one of two places—either in Congress or in the Territories. It can be nowhere else, and must exist somewhere. The Abolitionists insist that Congress possesses sovereign power over the Territories for their government, and, therefore, the North, having the majority, should prohibit Slavery. The Democrats contend that Congress has no rightful authority to legislate upon this or any other subject affecting the internal polity of the people, and that "the legislative power of the Territories extends to all rightful subjects of legislation consistent with the Constitution." All powers which are federal in their nature are delegated to Congress. Those which are municipal and domestic in their character are "reserved to the States respectively, or to the people"—"to the States" in respect to all of their inhabitants, and "to the people" of the Territories prior to their admission as States. To which class of powers does the question of Slavery belong? Is it a Federal or municipal institution? If Federal, it appertains to the Federal Government, and must be subject to the legislation of Congress. If municipal, it belongs to the several States and Territories, and must be subject to their local legislation. The Constitution of the United States has settled this question. A slave is defined in that instrument to be "a person held to service or labor in one State, *under the laws thereof*;" not under the laws of the United States, not "by virtue of the Constitution of the United States," not by force of any Federal authority, but "in one State under the laws thereof." So the Fugitive-Slave Law of 1793, which was modified and continued in force by Congress in 1850, as one of the Compromise measures of that year, recognizes Slavery as *existing in the Territories under the laws thereof*, as follows:

"That when a person held to labor in any of the United States, *or in either of the Territories on the north, west or south of the river Ohio*, UNDER THE LAWS thereof, shall escape into any other of said States or Territories," &c.

The Supreme Court of the United States have decided that "the state of Slavery is deemed to be a mere municipal regulation, founded upon and limited to the range of the territorial laws." (16 Peters, 611.) Being "a mere municipal regulation," the right to legislate in regard to it would seem to belong to that legislative body which is authorized to legislate upon all rightful subjects of municipal legislation. Can Congress take cognizance of a "mere municipal regulation" in a Territory, which, in the language of the Supreme Court, "is founded upon and limited to the range of territorial laws?" The Republicans, in their Philadelphia platform, say yes! The Democrats, in their Cincinnati platform, say no! What says Judge BLACK? Where, Mr. Attorney-General, does this sovereign power to legislate upon the "municipal regulation" of Slavery reside? Is it in Congress or in the Territories? If in Congress, has it not been *delegated* to the Territory in the organic act under the general grant of "legislative power" over "all rightful subjects of legislation consistent with the Constitution?" If in the Territory, has it not been *recognized* by Congress in the same act? Whichever be the source of the power, the conclusion is irresistible that the Territories possess the full power, subject, of course, to the Constitution as in other cases. If, however, Slavery exists in the Territories by virtue of the Constitution of the United States, as is contended, it is the imperative duty of Congress to provide for it adequate protection. I can respect the position of those who, so believing, demand federal legislation for the protection of constitutional right; but what are we to think of those who, while conceding the right, refuse to comply with a constitutional obligation from motives of political expediency? There can be no exception to the rule that a right guaranteed by the Constitution must be protected by law whenever legislation may be essential to its enjoyment.

HAVE CITY CORPORATIONS LARGER POWERS THAN FEDERAL TERRITORIES?

Not content with having stripped the territories of all power to enact laws for the protection of life, liberty and property, and for the regulation of their internal polity, all of which appertain to sovereignty, the Attorney-General dwarfs the territorial governments below the size of ordinary city corporations. He says: "Indeed, there is, probably, no city in the United States whose powers are not larger than those of a Federal Territory." What are the powers of an ordinary city corporation? To levy taxes for municipal purposes—to provide for the collection of the revenue—to sell private property for the non-payment of taxes—to execute the title, and transfer the possession to the purchaser, in case of forced sales—to impose fines and penalties, and inflict punishments for the violation of corporation ordinances. These are some of the powers usually exercised by city corporations. Are not these powers all attributes of sovereignty? Surely he will not deny that they are, since the whole burthen of his argument is, that nothing short of sovereign power can deprive a man of his property. How do these sovereign powers become vested in the city corporations? Probably his answer would be that the several States, within whose jurisdiction these cities are situated, as political sovereignties, have the undoubted right to delegate a portion of their sovereign power to those municipal corporations. The answer is satisfactory thus far; but it must be remembered that some of these cities are situated in the Territories, beyond the jurisdiction of any sovereign State, and that their municipal governments exist solely by virtue of territorial authority. Where do the city corporations in the Territories get the sovereign power to lay out and open streets through private property—to condemn the land and divest the owner of his title without his consent and against his protest? Where do they get the power to impose taxes upon the adjoining lands to pay the cost of grading and paving the streets, and to sell the lands, and transfer the title and possession to the purchaser for the non-payment of taxes? These things are being done constantly in Leavenworth, Omaha, Santa Fé, and indeed in all the territorial cities. Where do they get the power? for surely it pertains to sovereignty. From the Territorial Governments? We are told that they "have no attributes of sovereignty about them." It is not satisfactory to tell us that these city governments have "larger powers than those of the Federal Territories," by whose authority they were created and hold their existence, unless we are informed from what source they derive those "larger powers." Does the creature possess larger powers than the creator? Does the stream rise higher than its source?

Here, again, the Attorney-General is driven into a position where he is compelled to abandon his ground, that the Territories "have no attribute of sovereignty about them," and acknowledge that they have legislative powers, at least to the extent of creating city corporations, and delegating to them the sovereign power of taxation for municipal purposes, and divesting the title to private property for non-payment of taxes, or pronounce the whole system of territorial legislation unconstitutional and void, and deny their power to make laws upon any subject whatever, and finally to fall back on the abolition platform, and assert that Congress possesses sovereign power over the Territories for their government in all cases whatsoever.

DO THE CITIZENS OF THE STATES FORFEIT THEIR INHERENT RIGHT OF SELF-GOVERNMENT BY REMOVING INTO THE TERRITORIES OF THE UNITED STATES?

Who are the people of the Territories that they "have no attributes of sovereignty about them?" They are emigrants, mostly, from the several States of the Union. It is conceded that the people of each State possess the inherent right of self-government in respect to all their internal affairs. The question then arises, If citizens of Virginia possess this inherent right while they remain in that State, whether they forfeit it by removing to a Territory of the United States? They certainly do not forfeit it, unless there is something in the Constitution of the United States which divests them of it. Is there anything in the Constitution which deprives the citizens of the several States of their inherent right of self-government the moment they remove to a Territory? The only provision which has any bearing upon this subject is the 10th amendment, which provides that all powers not granted to Congress, nor prohibited to the States, are "reserved to the States respectively, or to the people." Inasmuch as the right to govern the people of the Territories, in relation to their internal polity, is not delegated to Congress, it necessarily follows that it is "reserved to the people" until they become a State, and from that period to the new State, in the same manner as in the other "States respectively." This right of self-government, being a political right, cannot be exercised by the people until they are formed and organized into a political community. By the Constitution it is the right and duty of Congress to organize the people of the Territories into political communities, and, consequently, the people of the Territories cannot exercise the right of self-government until Congress shall have determined that they have people enough to constitute a political community, that they are capable of self-government, and may be safely intrusted with legislative power over all rightful subjects of legislation consistent with the Constitution. When Congress shall have determined all these questions in the affirmative, by organizing the people of a Territory into a political community, with a legislature of their own election, the inherent right of self-government attaches to the people of the Territory in pursuance of the organic act, and "extends to all rightful subjects of legislation consistent with the Constitution." If this conclusion be not correct, it necessarily follows that the people of the States forfeit all their inherent power of self-government the moment they cross the State line and enter a Territory of the United States. By what authority are these inherent rights divested? There can be no other power or paramount authority than the Constitution of the United States. Does that instrument forfeit or divest the right of the people to exercise the inherent power of self government anywhere, except in the District of Columbia and such other places as are expressly provided for in the Constitution? On the contrary, it expressly recognizes and reserves the right not only "to the States respectively, but to the people." Where, then, is the authority for saying that the people of the several States forfeit and become divested of all their political rights and inherent powers of self-government the moment they cross a State line and enter a Territory of the United States? It certainly cannot be found in the Constitution.

THE JEFFERSONIAN PLAN OF GOVERNMENT FOR THE TERRITORIES.

Despairing, however, of being able to make the Attorney-General comprehend the distinction between independent sovereign States, which have the power to make their own constitutions and establish their own governments, and dependent colonies or territories, which have the right to govern themselves in respect to their internal polity, in conformity to the organic law by which they were established, I will proceed to notice his contradiction of my positive statement that the Jeffersonian plan of government for the Territories was adopted by the Congress of the Confederation on the 23d day of April, 1784. He has truly a summary mode of disposing of important historical facts when they stand in the way of his line of argument, which is peculiar to himself. Are the people of the United States prepared to believe that their learned Attorney-General would be so reckless as to deny a well-known historical fact which appears of record, without even referring to the journal for the day on which I had stated the event to have taken place? However this may be, the truth remains as stated in Harper, that the Jeffersonian plan was adopted by Congress on the 23d day of April, 1784, the assertion of Judge BLACK to the contrary notwithstanding. By reference to the fourth volume of the printed journals of the Congress of the Confederation, on page 378, will be found the following entry:

Congress resumed the consideration of the report of a Committee on a plan for a temporary government of the Western Territory.

A motion was made by Mr. GERRY, seconded by Mr. WILLIAMSON, to amend the report by inserting after the words, 'but not of voting,' the following clause:

"That measures not inconsistent with the principles of the confederation and necessary for the preservation of peace and good order among the settlers in any of the said new States, until they shall assume a temporary government as aforesaid, may, from time to time, be taken by the United States in Congress assembled.'"

The precise language of this amendment should be carefully noted. It confers, and at the same time defines and limits, *the only power* which it was deemed wise and safe at that day to permit Congress to exercise over the Territories, or "new States," as they were then called, to wit: 1. That they should only exercise such powers as were "necessary for the preservation of peace and good order among the settlers;" and 2. "that even those powers should only be exercised by Congress over the settlers, "until they shall assume a temporary government as aforesaid."

So it appears that from the day that the Territory was organized under a temporary government, with a legislature elected by the resident inhabitants, the power of Congress, even "for the preservation of peace and good order among the settlers," ceased; and the people thereof were left perfectly free to form and regulate their domestic institutions in their own way, subject only to "the principles of the confederation," which conferred on Congress no power over the domestic concerns and internal polity of the people, neither in the States nor in the Territories.

Now let us see whether it be true, as asserted by Judge BLACK, that this Jeffersonian plan "*was rejected by Congress* and never afterwards referred to by Mr. JEFFERSON himself."

On the next page, 379, of the same volume of the journal, will be found the following entry:

"The amendment of Mr. GERRY being adopted, the report as amended was agreed to as follows:"—Here the journal contains the entire Jeffersonian plan, the substance of which was embraced in my article in *Harper*. On the next page, 380, at the end of the Jeffersonian plan, will be found the following entry:

"On the question to the foregoing, the yeas and nays being required by Mr. BERKSFORD:

N. Hampshire—Mr. Foster	Aye.	Blanchard	Aye.	Aye.
Massachusetts—Mr. Gerry	Aye.	Partridge	Aye.	Aye.
Rhode Island—Mr. Ellery	Aye.	Howell	Aye.	Aye.
Pennsylvania—Mr. Mifflin	Aye.	Montgomery	Aye.	Hand	Aye.	Aye.
Virginia—Mr. Jefferson	Aye.	Mercer	Aye.	Monroe	Aye.	Aye.
Connecticut—Mr. Sherman	Aye.	Wadsworth	Aye.	Aye.
New-York—Mr. De Witt	Aye.	Paine	Aye.	Aye.
New Jersey—Mr. Beatty	Aye.	Dick	Aye.	Aye.
Maryland—Mr. Stone	Aye.	Chase	Aye.	Aye.
N. Carolina—Mr. Williamson	Aye.	Speight	Aye.	Aye.
South Carolina—Mr. Read	No.	Beresford	No.	No.

"So it was resolved in the affirmative."

Thus it appears by the journal that the Jeffersonian plan of Government for the Territories, instead of having been "rejected by Congress," was actually adopted by the vote of ten States out of the eleven, and by the voice of twenty-two members out of the twenty-four present.

The importance of destroying the authority of this measure, and of the almost unanimous vote of the States and of the members of Congress by which it was adopted, is apparent when we consider that even the Attorney-General of the United States would feel some delicacy in charging THOMAS JEFFERSON and his illustrious associates with devising a flagrant scheme of "legislative robbery"—a *projet* "to license a band of marauders to despoil the emigrants crossing their territory"—a measure for "the confiscation of private property," and seizing it "for purposes of lucre or malice!" It will be observed that this error in respect to the rejection of the Jeffersonian plan is not corrected by Judge BLACK in his appendix.

CONFISCATION OF PRIVATE PROPERTY—POWERS OF A CONSTITUTIONAL CONVENTION IN A TERRITORY.

In respect to the painful apprehensions which afflict the Attorney-General, that if we concede to the Territories all the rights of self-government in respect to their internal polity, they may confiscate all the private property within their limits, and "may order the miners to give up every ounce of gold that has been dug at Pike's Peak," I have only to say that the Supreme Court of the United States, in the Dred Scott case, have decided that under the Constitution of the United States a man cannot be deprived of life, liberty or property in a Territory without due process of law; nor can private property be taken for public uses in a Territory without just compensation; and that I approve of the decision.

In regard to his declaration, "that no such power is vested in a territorial legislature, and that those who desire to confiscate private property of any kind *must wait until they get a constitutional convention*, or the machinery of a State government in their hands," I have to say that I am not aware that the public of a Territory, when assembled by their representatives in a "constitutional convention," *without the consent of Congress*, for the purpose of subverting the territorial government established by Congress (as was the case with the Topeka and Lecompton Conventions), has any higher or greater power than when assembled in their legislature in pursuance of the Constitution and the act of Congress. Judge BLACK frequently refers to what he calls "a constitutional convention" of a Territory (which is nothing more nor less than a body of men assembled under the authority of a territorial legislature, without the consent of Congress, to form a constitution to take the place of the organic act passed by Congress), as having full and complete sovereign power over the question of Slavery, and every other subject pertaining to their internal polity, when he denies the same power to the people and legislature of the Territory, by whose authority alone the Convention has any legal existence or power. What authority can any such "constitutional convention" have except that which it derives from the legislature which called it into existence, or from the people of the Territory by whom the delegates were elected? If neither the people nor the Territorial Legislature possess any sovereign power, how can they impart sovereignty to a Constitutional Convention of their own creation? Suppose, then, the people of a Territory shall "wait until they get a Constitutional Convention or the machinery of a State government

an insuperable barrier to the rights of the owner of the slaves. He argues that the Territorial Government has no power to act or legislate upon the subject of Slavery, and consequently is *incapable* of giving its consent to the operation of the Virginia laws while the courts of the Territory cannot *presume* such consent to have been given where it was impossible to give it, nor the Virginia laws to have been *tacitly* adopted by a government which had no power to adopt them. Therefore, unless the power of the Territorial Legislature to act upon the subject of Slavery in the same manner as any other domestic or municipal regulation be conceded, and consequently its right to give or withhold its consent to the operation or tacit adoption of the laws of the slave-holding States be acknowledged, the conclusion is irresistible that Judge BLACK's axiomatic principle of public law, *as defined by the Supreme Court of the United States*, would strip the owner of slaves in the Territories of all those rights which lawfully existed in the States from which they removed as effectually and inevitably as the Wilmot Proviso or the Ordinance of '87. But if it shall be conceded, on the contrary, that Slavery is a proper subject of legislation, upon which the Territorial Legislatures may rightfully act within the limitations of the Constitution, it necessarily follows that they may consent to the operation or adoption of the laws of the slaveholding States to the fullest extent necessary to the protection and enjoyment of the owners' rights in slave property.

SUPPOSE THE SUPREME COURT WRONG AND JUDGE BLACK RIGHT.

Suppose, however, the Supreme Court of the United States to be wrong in holding that the laws of one country can prevail in other countries only by consent or tacit adoption, and Judge BLACK to be right also in asserting that the State law in respect to Slavery follows the master and his slave into the Territory and remains in force and unalterable until the Territory becomes a State, let us see what would be the practical result of such an "axiomatic principle of public law!" It would enable any one citizen of each of the fifteen slaveholding States to remove into a Territory with his slaves and carry with him the law of Slavery peculiar to his own State, and thus put into operation in the Territory, without the consent of the legislature or of Congress, fifteen distinct and conflicting systems of law—some recognizing slaves as real property, and others as personal; some prescribing one rule and measure of punishment for offences, and others a different; some prescribing certain modes and conditions of emancipation, and others different ones; and others still prohibiting emancipation altogether. Fifteen distinct and conflicting systems of law on the same general subject, each deriving its validity from the authority of the State from which the master emigrated, and following the slaves as the individual right of the master, in consequence of his former citizenship of such State, and not by virtue of the Constitution of the United States, nor by the assent of the Territory or of Congress, are put in operation in the same Territory, each by the individual act of one man, in opposition to the wishes of the people, and in defiance of the legislative authority of the Territory, and all to remain unalterable, no matter how inconvenient or unsuitable, until the people get a constitutional convention or the machinery of a State government into their hands.

As the law of Slavery which the master carries into the Territory with his slave is his individual right, resulting from his former citizenship in another State, some inquisitive persons may inquire how long the right will abide with him? What will become of it when the Kentuckian sells his slave to the Vermonter; under what law will the Vermonter hold the slave; whether under the law of Kentucky, where the new master never resided, or under the law of Vermont, where Slavery is prohibited?

The same "axiomatic principle," as interpreted by Judge BLACK, would enable any one citizen from each of the thirty-eight States and Territories of this Union to put in operation in any other Territory, without their consent, express or implied, thirty-eight separate and conflicting systems of law upon the subject of marriage and the rights of married women; upon the legitimacy of children and their rights of inheritance; upon the relative rights and duties of guardian and ward, master and apprentice, and every "right of property, private relation, condition or status" lawfully existing in the State or Territory from which they came!

The same construction of this axiomatic principle would enable any one person, black or white, who should emigrate from Europe, Asia or Africa—from North, South or Central America—or from the Islands of the Sea, wherever they are recognized as civilized people, to go into the Territories of the United States and carry with them and put in operation all the laws of their respective countries, so far as they recognized any "right of property, private relation, condition or status," no matter how revolting to the moral sense of the community, without the consent of Congress or the Territory, and when it was known that such laws were contrary to its policy and prejudicial to its interests!

It is true that, according to Judge BLACK, these results can follow only where there is no local law in conflict with his axiomatic principle of public law. It should be borne in mind, however, that if the territories "have no attribute of sovereignty about them," and consequently no legislative power upon any subject whatever, it remains for him to show how there can be any such conflicting law in the Territories.

ABSURDITY OF JUDGE BLACK'S DOCTRINE CONFESSED BY HIMSELF.

The absurdity of such a doctrine having been exposed, and its folly made manifest and ludicrous in the criticisms of the members of the legal profession upon Judge BLACK's "Observations," he at length became ashamed of his position, and consequently scouts the idea in his appendix, that he ever dreamed that his "axiomatic principle" would enable the Virginia master to carry with him into the Territories the Virginia law of Slavery, and thus furnish judicial remedies and legal protection to his slave property in the Territories. Let us state his position in his own language, *as revised and corrected in his appendix*:

"We have said, and we repeat, that a man does not forfeit his right of property in a slave by migrating with him to a Territory. The title which the owner acquired in the State from whence he came must be respected in his new domicil as it was in the old, until it is legally and constitutionally divested. The proposition is undeniable. But the absurd inference which some persons have drawn from it is not true, that the master also takes with him the judicial remedies which were furnished him at the place where his title was acquired. Whether the relation of master and slave exists or not, is a question which must be determined according to the law of the State in which it was created; but the respective rights and obligations of the parties must be protected and enforced by the laws prevailing at the place where they are supposed to be violated. This is also true with respect to rights of every other kind."

So it appears that the Attorney-General of the United States aspires to become the champion of the sanctity of private property by writing a pamphlet for the mere purpose of showing that the owner has a *right* WITHOUT A REMEDY! He seems annoyed that "some persons" should "have drawn the *absurd* inference" from his pamphlet that the courts of justice could or should afford any protection to slave property in the Territories by the application of these judicial remedies and legal provisions, and police regulations which lawfully existed in the State from which the Virginia master took his slaves, and without which the master can neither hold nor appropriate his property, nor defend his right when assailed. If the owner can derive no benefit from the judicial remedies which lawfully existed in the State from which he removed, and the territorial legislature is incapable of legislating upon the subject of Slavery, and therefore can furnish no remedies, what protection can the master possibly have for his slave property in the Territories under Judge BLACK's exposition of the Constitution and the laws? He will not consent that Congress shall enact a code of laws for the protection of Slavery in the Territories. He denies the right of a territorial legislature to pass laws upon the subject, either for its protection, regulation or exclusion, for the reason that the Territories "have no attribute of sovereignty about them;" and he pronounces the inference "absurd" that the courts can apply the "judicial remedies" lawfully existing in other States. Denying all judicial remedies, and insisting upon a construction of the Constitution which renders legislative protection impossible, Judge BLACK claims the gratitude of the slaveholders for having discovered an "axiomatic principle of public law" under which the owner may be robbed of his property, and still console himself with the assurance that he retains a barren, useless, worthless right, under the laws of a State of which he is no longer a citizen, and whence the slave has been removed.

POLITICAL TRIBUNALS CANNOT DETERMINE JUDICIAL QUESTIONS.

I will here dismiss all of these questions of law, and leave them to the courts of justice as the only tribunals under the Constitution which are competent authoritatively to determine them. I have discussed them merely because Judge BLACK has sought the controversy, and thrust them into it; and not because they have anything to do with the political issues now pending before the country. In all that I have said, I have been content to assume the law to be as decided by the Supreme Court of the United States, without presuming that my individual opinion would either strengthen or invalidate their decisions. By the Constitution all legal and judicial questions are confided to the courts, whose final decisions are conclusive upon everybody until reversed. Political conventions and party platforms can take cognizance only of political questions. I have never recognized the propriety of any political party appealing from the adjudications of the highest judicial tribunals in the land to political assemblages, with a view of either confirming or impairing the force of their decisions. Some years ago, when the Common Council of the City of Chicago adopted a resolution declaring the Fugitive Slave law unconstitutional and void, and released the police from obeying it or the right of the Abolitionists to take an appeal from the decision of the Supreme Court of the United States on a great Constitutional question to the Common Council of a Municipal Corporation, although its powers are said to be "larger than those of a Federal Territory." So, too, last year, when I returned to Illinois to canvass the State in behalf of the regular nominees of the Democratic Party against the combined assaults of the Black Republicans and Federal office-holders, I denied their right to appeal from the decision of the Supreme Court in the Dred Scott case to an Abolition caucus or opposition meeting with a view of impairing or in any way affecting that decision. Nor do I admit the right or propriety of the Democratic Party appealing from the decisions of the judicial tribunals to public meetings or political conventions for the purpose of revising, approving, or condemning such decisions, or of instructing the Courts how they shall decide in future.

Political parties and Conventions, should confine themselves to those political issues which may be rightfully determined by the political departments of the Government in pursuance of the Constitution. Such is the position of the Democratic Party and the character of the Cincinnati platform with reference to the question of Slavery in the Territories. By that platform the whole subject of Slavery agitation is to be banished forever from the halls of Congress and left to the people of the Territories to be disposed of in such manner as they may determine for themselves, subject to such limitations only as the Constitution of the United States may have imposed upon their legislative authority and discretion. The Supreme Court of the United States will determine whether a territorial enactment is repugnant to the Constitution, in the same manner as they decide whether the statute of a State or an act of Congress is repugnant to that instrument; and we, as in duty bound, must all sustain and maintain the authority of the Court under the Constitution, whenever the case shall arise and the decision of the Court be authoritatively announced.

Why, then, attempt to divide the party, and produce strife and discord in our ranks, in these perilous times, by forcing a test of *political fidelity* upon a *judicial question* which has never been decided by the Courts, and cannot be authoritatively determined by any of the political departments of the Government, and upon which the fate of the party is irrevocably pledged, that there should never be any proscription because of differences of opinion which were known to exist when the Kansas and Nebraska act was passed, and the Cincinnati Platform adopted?

If this new test of party fidelity had been made and insisted upon in 1856, when Mr. BUCHANAN accepted the Presidential nomination with the declaration "THAT THE PEOPLE OF A TERRITORY, LIKE THOSE OF A STATE, SHALL DECIDE FOR THEMSELVES WHETHER SLAVERY SHALL OR SHALL NOT EXIST WITHIN THEIR LIMITS"—

When our candidate for the Vice-Presidency was understood to affirm the same principle at Lexington and at Tippecanoe—

When the Secretary of State was known to have devoted all the energies of his great intellect to the vindication of the same principle, from the day he wrote the Nicholson letter—

When the Secretary of the Treasury was canvassing Pennsylvania and other Northern States, imploring the people to vote for Mr. BUCHANAN because he was pledged to carry out this great principle of Popular Sovereignty in the Territories—

When the whole Northern Democracy and nearly every Southern man who canvassed the Northern States for the Democratic nominees, pledged the whole party, North and South, to the support of the Cincinnati platform, as expounded by Mr. BUCHANAN in his letter of acceptance—

If, I repeat, this new test had then been made and insisted upon, the people of the United States would never have known Judge BLACK as Attorney-General; nor would the power and patronage of a Democratic Administration have been exhausted in the prosecution of a war of extermination upon all those Democrats whose only political sin consists in unwavering fidelity to those principles upon which these eminent men were elevated to their high places.

Is this new test to be urged only for the purpose of controlling the Charleston nomination, and to be abandoned as soon as the Convention shall have adjourned! Or is it intended that the nominee, when elected, shall continue the system of proscription which has been recently inaugurated, as the fixed policy of his Administration, and denounce all Democrats who repudiate the test as unworthy to hold any Federal office or even to serve as Chairmen of committees in Congress? Are those fearless and incorruptible Democrats who, rejecting all tests which have not received the sanction of the National Convention of the party, stand firmly by its time-honored principles, to be called upon to fight the battles and win the victories with the understanding that they shall have no participation in the honors of the triumph? Is the nominee who may become the chosen embodiment of this proscriptive policy to be placed in the proud position of owing his election to the suffrages of those who have already been selected for the sacrifice, and to whose destruction he has become pledged by his nomination? Is it not well that we should understand one another in advance, so that when the day of tribulation comes, if come it must, there shall be no imputation of ingratitude or bad faith?

THE ILLINOIS DEMOCRACY IN FAVOR OF THE CINCINNATI PLATFORM AND OPPOSED TO ALL NEW TESTS.

Judge BLACK, however, with more cunning than fairness, attempts to conceal from public view his own inconsistent positions, by studiously and persistently representing me as endeavoring to found a new school of politics, to force new issues upon the party, and to prescribe new tests of political faith, in violation of the Cincinnati platform. Of course, he produces no proof, well knowing that none could be produced, to sustain the truth of the charge. I will produce the proof to the contrary, however, so satisfactory and conclusive that no honest man will be excusable in repeating the charge. No man living has more uniformly and consistently adhered to the platform, usages and organization of the Democratic Party than I have, under all circumstances, from the period of my earliest manhood. During the whole war of extermination which has been waged upon me with savage ferocity by the combined forces of Black Republicanism and the Federal Administration, I have, on all occasions, avowed my inflexible purpose to maintain the creed of the party as affirmed by the Cincinnati platform, and to resist by all legitimate means the unauthorized interpolation of new articles therein, and all tests of political fidelity which have not received the sanction of the party in its duly constituted Conventions. The Illinois Democracy, when assembled in State Convention in April, 1858, under circumstances of extreme provocation, for the purpose of nominating a Democratic ticket in opposition to the unholy alliance which had been formed by and between the Abolitionists, Federal office-holders, and Black Republicans, emphatically indorsed the Cincinnati platform as follows:

"Col. McClernand, from the Committee to prepare resolutions for the consideration of the Convention, made the following report; which was read, and on motion each resolution was separately read and *unanimously adopted*:

1. *Resolved*, That the Democratic Party of the State of Illinois, through their delegates in general Convention assembled, do assert and declare the principles avowed by them as when, on former occasions, they have presented their candidates for popular suffrage.

2. *Resolved*. *That they are unalterably attached to, and will maintain inviolate, the principles declared by the National Convention at Cincinnati, in June*, 1856.

3. *Resolved*, That they avow with renewed energy their devotion to the Federal Union of the United States their earnest desire to avert sectional strife, their determination to maintain the sovereignty of the States, and the people thereof, in all their constitutional rights.

4. *Resolved*, That the platform of principles established by the National Democratic Convention at Cincinnati *is the only authoritative exposition of Democratic doctrine, and that they deny the right of any power on earth, except a like body, to change or interpolate that platform, or to prescribe new and different tests*; THAT THEY WILL NEITHER DO IT THEMSELVES, *nor permit it to be done by others*, BUT WILL RECOGNIZE ALL MEN AS DEMOCRATS WHO STAND BY AND UPHOLD DEMOCRATIC PRINCIPLES."

These resolutions were introduced into the Senate by me, on the 29th of April, 1858, a few days after their adoption by the Illinois State Convention, with this emphatic indorsement:

"I will furnish to the reporter the whole series, *as furnishing the platform upon which the Illinois Democracy stand*, AND BY WHICH I INTEND TO ABIDE."

Thus it appears from the record made up at the time, that the real issue between the Federal Administration, as the allies of the Black Republicans of Illinois on the one hand, and the Illinois Democracy on the other, in that memorable struggle, was that the Administration claimed the right to "*change and interpolate the Cincinnati platform, and prescribe new and different tests*; while the gallant Democracy of that noble State denied "the right of any power on earth, except a like body," to change the Cincinnati platform or prescribe new tests; and declared that "*they will neither do it themselves, nor permit it to be done by others*, BUT WILL RECOGNIZE ALL MEN AS DEMOCRATS WHO STAND BY AND UPHOLD DEMOCRATIC PRINCIPLES."

We were assailed and proscribed because we did stand by the Cincinnati platform; because we would not recognize the right of any power on earth, except a regularly constituted convention of the party, to change the platform and interpolate new articles into the creed; because we would not sanction the new issues and submit to the new tests; because we would not proscribe any Democrat, nor permit the proscription of Democrats in consequence of difference of opinion upon questions which had arisen subsequently to the adoption of the platform; and because we recognized all men as Democrats who supported the nominees and upheld the principles of the party, as defined by the last National Convention. It was upon this issue and for these reasons that the power and patronage of the Federal Government were wielded in concert with the Black Republicans, for the election of their candidates in preference to the regular nominees of the Democratic Party. This system of proscription still continues in Illinois, and is being extended throughout the Union, with the view of controlling the Charleston nomination. Fidelity to the Cincinnati platform, and opposition to the new issues and tests prescribed by men in power, in direct conflict with the professions upon which they were elected, are deemed disqualifications for office and cause of removal.

THE CHARLESTON CONVENTION—PRESIDENTIAL ASPIRANTS.

The reasons for singling me out as the especial object for anathema will be found on the first page of the Attorney-General's pamphlet, where he says:

"He [DOUGLAS] has been for years a working, struggling candidate for the Presidency!"

Suppose it were true, that I am a Presidential aspirant; does that fact justify a combination by a host of other Presidential aspirants, each of whom may imagine that his success depends upon my destruction, and the preaching a crusade against me for boldly avowing now the same principles to which they and I were pledged at the last Presidential election? Is this a sufficient excuse for devising a new test of political orthodoxy, and, under pretext of fidelity to it, rotting up a set of bolting delegates to the Charleston Convention in those States where they are unable to control the regular organization? The time is not far distant when the Democracy of the whole Union will be called upon to consider and pronounce judgment upon this question.

What authority has the Attorney-General, aside from his fears and hopes, for saying that I am "a working, struggling candidate for the Presidency?" My best friends know that I have positively and peremptorily refused to have anything to do with the machinery of the conventions in the several States by which the delegates to the Charleston Convention are to be appointed. They know that, personally, I do not desire the Presidency at this time—that I prefer a seat in the Senate for the next six years, with the chance of a reelection, to being President for four years, at my period of life. They know that I will take no steps to obtain the Charleston nomination, that I will make no sacrifice of principle, no concealment of opinions, no concession to power for the purpose of getting it. They know, also, that I only consented to the use of my name upon their earnest representations that the good of the Democratic party required it, and even then upon the express condition that the Democratic party shall determine in the Presidential election in 1860, as I have full faith they will, to adhere to the principles embodied in the compromise measures of 1850, and approved by the people in the Presidential election of 1852, and incorporated into the Kansas-Nebraska Act of 1854, and confirmed by the people in the Presidential election of 1856. Nor can the Attorney-General pretend to be ignorant of the fact that the public were informed long since that, "if, on the contrary, it shall become the policy of the Democratic Party, which I cannot anticipate, to repudiate those their time-honored principles, on which we have achieved so many patriotic triumphs, and in lieu of them the Convention shall interpolate into the creed of the party such new issues as the revival of the African Slave-trade, or a Congressional Slave Code for the Territories, or the doctrine that the Constitution of the United States either establishes or prohibits Slavery in the Territories beyond the power of the people legally to control it, as other property, it is due to candor to say that, in such an event, I could not accept the nomination if tendered to me." Is this the language of a man who is working and struggling for the Presidency upon whatever terms and by the use of whatever means it could be obtained? Or does this language justify that other charge, that I am making new issues and prescribing new tests in violation of the Cincinnati platform?

While I could have no hesitation in voting for the nominee of my own party, with whom I might differ on certain points, in preference to the candidate of the Black Republican Party, whose whole creed is subversive of the Constitution and destructive of the Union, I am under no obligation to become a candidate upon a platform that I would not be willing to carry out in good faith, nor accept the Presidency on the implied pledge to carry into effect certain principles, and then administer the Government in direct conflict with them. In other words, I prefer the position of Senator, or even that of a private citizen, where I would be at liberty to defend and maintain the well-defined principles of the Democratic Party, to accepting a Presidential nomination incompatible with the principle of self-government in the Territories, or the reserved rights of the States, or the perpetuity of the Union under the Constitution. In harmony with these views, I said in those very speeches in Ohio, to which Judge BLACK refers in his appendix, that I was in favor of conducting the great struggle of 1860 upon "the Cincinnati platform *without the addition of a word or the subtraction of a letter*." Yet, in the face of all these facts, the Attorney-General does not hesitate to represent me as attempting to establish a new school of politics, to force new issues upon the party, and prescribe new tests of Democratic faith.

In conclusion, I have only to suggest to Judge BLACK and his confederates in this crusade, whether it would not be wiser for them, and more consistent with fidelity to the party which placed them in power, to exert their energies and direct all their efforts to the redemption of Pennsylvania from the thraldom of Black Republicanism, than to continue their alliance with the Black Republicans in Illinois, with the vain hope of dividing and defeating the Democratic Party in the only Western or Northern State which has never failed to cast her electoral vote for the regular nominee of the Democratic Party at any Presidential election.

WASHINGTON, October, 1859.

MR. DOUGLAS AND DR. GWIN.

Why was Senator Douglas Excluded from the Committee on Territories?

LETTER FROM MR. DOUGLAS TO CALIFORNIA.

To the Editors of the National, San Francisco, California:

I am indebted to the kindness of some unknown friend for a copy of the *National* of the 16th July, containing a speech of the Hon. WILLIAM M. GWIN, at Grass Valley, with black lines drawn around certain passages, for the purpose, I presume, of directing my attention especially to them. Inasmuch as your paper is the medium through which the assault on the political position which I have maintained in the Senate, and before the people of Illinois, was conveyed to the public, justice requires that you should publish such reply as my friends in California have a right, under the circumstances, to expect. Hence I address this letter to you.

After the defeat of the Lecompton Constitution in Congress, and the rejection by Kansas of the propositions contained in the "English bill," all who felt a deeper interest in the peace and repose of the country than in the advancement of particular individuals, entertained the hope that the strife had ended, and that instead of new and odious tests of political fidelity to distract and divide, we should witness mutual desires and mutual exertions to present a united Democracy. If this just expectation has been disappointed, and the Democratic Party, burdened with new tests and demoralized by selfish rivalries and dissensions, have been defeated in States where they should and otherwise might have been successful, the responsibility must rest upon those who produced the unfortunate results. I shall not follow the example of these disturbers of Democratic harmony by reviving past issues and indulging in criminations and recriminations; nor shall I stop to defend my action on the Lecompton question from their assaults. I am entirely content to rest my vindication on the verdict which the people of Illinois have already recorded, and trust to that enlightened public opinion of the whole country which will, sooner or later, declare with emphasis and power that no constitution or institution should ever be forced upon a reluctant people, whether State or Territory.

Passing from his review of the Lecompton issue, Mr. GWIN said in his speech at Grass Valley:

"Near the close of the last session of Congress, a debate was sprung upon the Senate upon the question of Territorial sovereignty. We had long expected such a discussion, because it was the duty of Mr. DOUGLAS to give his reasons to the Senate and to the country for the line of policy he had considered it his duty to adopt in the Senatorial canvass in Illinois. *The doctrines he had avowed in his Freeport speech had been condemned in the Senate by his removal from the Chairmanship of the Territorial Committee of that body*, and it was expected that he would defend the position he had taken, and give ample time to those who differed from him to give the reasons that had influenced them in removing him from that important position at the head of the Territorial Committee he had filled for so many years in the Senate. But for reasons satisfactory to himself, he did not address the Senate until near the close of the session, when there was not time to give the subject that full consideration it deserved. He had asserted in his Freeport speech that a Territorial Legislature could *lawfully* by non-action or hostile legislation exclude Slavery from such Territory. Having always opposed this doctrine, I briefly announced my previous opinions, and declared that if such construction had been given to the Kansas-Nebraska act when it was under consideration in Congress in 1854, I should have voted against it."

Why was it "the duty of Mr. DOUGLAS to give his reasons to the Senate, and to the country for the line of policy he had considered it his duty to adopt in the Senatorial canvass in Illinois." I had already given my "reasons" at Freeport, and at more than a hundred places during the canvass, and had been triumphantly sustained by the voice of the people and the vote of the legislature, against the combined forces of the Black Republicans and Federal office-holders, and their allies and supporters in and out of the Senate. Why, I repeat, was it my duty to give my reasons to the Senate? The Senate is not my constituency. I am not responsible to the Senate, nor did any Senator venture to demand reasons for the line of policy which I have felt it my duty to pursue at home, in a State canvass.

But, if it *were* my duty, as Mr. GWIN states, to give my "reasons to the Senate" for the course which I pursued in the canvass, it necessarily follows, that it *was* the duty of the Senate to hear them before they proceeded, as he alleges, to condemn me by my removal, during my absence, from the Chairmanship of Territories, which I have held for eleven years, and to which I was reelected after my speech against the Lecompton Constitution.

The country is now informed, for the first time, that I was removed from the post of Chairman of the Committee on Territories because of the sentiments contained in my "Freeport speech." To use the language of Mr. GWIN, THE DOCTRINES HE HAD AVOWED IN HIS FREEPORT SPEECH HAD BEEN CONDEMNED IN THE SENATE BY HIS REMOVAL FROM THE CHAIRMANSHIP OF THE TERRITORIAL COMMITTEE OF THAT BODY. The country will bear in mind this testimony, that I was not removed because of any personal unkindness or hostility; nor in consequence of my course on the Lecompton question, or in respect to the Administration; but that it was intended as a condemnation of the doctrines avowed in my "Freeport speech." The only position taken in my "Freeport speech," which I have ever seen criticised or controverted, may be stated in a single sentence, and was in reply to an interrogatory propounded by my competitor for the Senate: That "*the Territorial Legislature could lawfully exclude Slavery, either by non-action or unfriendly legislation.*" This opinion was not expressed by me at Freeport for the first time. I have expressed the same opinion often in the Senate, freely and frequently, in the presence of those Senators who, as Mr. GWIN testifies, removed me "from the Chairmanship of the Committee on Territories" *ten years after they knew that I held the opinion and would never surrender it.*

I could fill many columns of the *National* with extracts of speeches made by me during the discussion of the Compromise measures in 1850, and in defence of the principle embodied in those measures in 1851 and 1852, in the discussion of the Kansas-Nebraska bill in 1854, and of the Kansas difficulties and the Topeka revolutionary movements in 1856, in all of which I expressed the same opinion and defended the same position which was assumed in the "Freeport Speech." I will, however, barely refer your readers to many of these speeches, but will refer you to each volume of the *Congressional Globe* for the last ten years, where you will find them fully reported. If you cannot conveniently procure the *Congressional Globe*, I refer you to an editorial article in the Washington *Union* of Oct. 5, 1858, which, it was reported, received the sanction of the President of the United States previously to its publication, a few weeks after my "Freeport Speech" had been delivered. The *Union* made copious extracts of my speeches in 1850 and 1854, to prove that at each of those periods I held the same opinions which I expressed at Freeport in 1858, and, consequently, declared that I never was a good Democrat, much less sound on the Slavery question when I advocated the Compromise measures of 1850, and the Kansas-Nebraska bill in 1854.

In the article referred to, the Washington *Union* said:

"We propose to show that Judge DOUGLAS' action in 1850 and 1854 was taken with especial reference to the announcement of doctrine that programme which was made at Freeport. The declaration at Freeport was, that in his opinion the people can, *by lawful means*, exclude Slavery from a Territory *before* it comes in as a State; and he declared that his competitor had '*heard him argue the Nebraska bill on that principle* all over Illinois in 1854, 1855 and 1856, and had *no excuse to pretend to have any doubt on that subject*.'"

The *Union* summed up the evidence furnished by my speeches in the Senate in 1850 and 1854, that the "Freeport Speech" was consistent with my former course, with this emphatic declaration:

"*Thus we have shown that precisely the position assumed by Judge Douglas at Freeport had been maintained by him in 1850, in the debates and votes on the Utah and New-Mexican bills, and in 1854 on the Kansas-Nebraska bill; and have shown that it was owing to his opposition that clauses depriving Territorial Legislatures of the power of excluding Slavery from their jurisdictions were not expressly inserted in those measures.*"

The evidence thus presented by the Washington *Union*—the evidence of an open enemy—is so full and conclusive, that I have uniformly advocated for ten years past the same principles which I avowed at Freeport, that I cannot refrain from asking you to spread the entire article before your readers, as an appendix, if you choose, to this letter.

The question whether the people of the Territories should be permitted to decide the Slavery question for themselves the same as all other rightful subjects of legislation, was thoroughly discussed and definitely settled in the adoption of the Compromise measures of 1850. The Territorial bills, as originally reported by the Committee on Territories, extended the authority of the Territorial Legislature to all rightful subjects of legislation consistent with the Constitution, *without excepting African Slavery*. Modified by the Committee of Thirteen, they conferred power on the Territorial Legislature over all rightful subjects of legislation, *except African Slavery*. This distinct question, involving the power of the Territorial Legislature over the subject of African Slavery, was debated in the Senate from the 8th of May until the 31st of July, 1850, when the limitation was stricken out by a vote of yeas, 33; nays, 19; and the Territorial Legislature authorized to legislate on all rightful subjects, *without excepting African Slavery*. In this form, and upon this principle the compromise measures of 1850 were enacted.

When I returned to my home in Chicago, at the end of the session of Congress, after the adoption of the measures of adjustment, the excitement was intense. The City Council had passed a resolution nullifying the Fugitive Slave Act, and releasing the police from all obligations to obey the law or assist in its execution. Amidst this furious excitement, and surrounded by revolutionary movements, I addressed the assembled populace. My speech, in which I defended each and all of the compromise measures of 1850, was published at the time, and spread broadcast throughout the country. I herewith send you a copy of that speech, in which you will find that I said:

"These measures are predicated on the great fundamental principle *that every people ought to possess the right of forming and regulating their own internal concerns and domestic institutions in their own way*. It was supposed that those of our fellow-citizens who emigrated to the shores of the Pacific and to our other territories were as capable of self-government as their neighbors and kindred whom they left behind them; and there was no reason for believing that they have lost any of their intelligence or patriotism by the wayside, while crossing the Isthmus or the Plains. It was also believed, that after their arrival in the country, when they had become familiar with its topography, climate, productions and resources, and had connected their destiny with it, they were fully as competent to judge for themselves what kind of laws and institutions were best adapted to their condition and interests, as we were who never saw the country, and knew very little about it. To question their competency to do this was to deny their capacity for self-government. If they have the requisite intelligence and honesty to be intrusted with the enactment of laws for the government of white men, I know of no reason why they should not be deemed competent to legislate for the negro. If they are sufficiently enlightened to make laws for the protection of life, liberty and property—of morals and education—to determine the relation of husband and wife, of parent and child—*I am not aware that it requires any higher degree of civilization to regulate the affairs of master and servant. These things are all confided by the Constitution to each State to decide for itself and I know of no reason why the same principle should not be extended to the Territories.*"

This speech was laid on the desk of every member of the Senate, at the opening of the second session of the Thirty-first Congress, in December, 1850, when, with a full knowledge of my opinions on the territorial question, I was unanimously nominated in the Democratic caucus, and reelected by the Senate Chairman of the Committee on Territories. From that time to this I have spoken the same sentiments and vindicated the same positions in debate in the Senate; and have been reelected Chairman of the Committee on Territories *at each session of Congress*, until last December, by the unanimous voice of the Democratic party in caucus, and in the Senate, with my opinions on this territorial question *well known to and well understood by every Senator*. Yet, Mr. GWIN testifies that I was condemned and deposed by the Senate for the utterance of opinions in 1858, which were put on record year after year, so plainly and so unequivocally, as to leave neither the Senate nor the country in doubt. Thus does Mr. GWIN, in his eagerness to be my public accuser, speak to his own condemnation, for he voted for me session after session, with my opinions, the same that I spoke at Freeport, staring him in the face.

On the 4th of January, 1854, I reported the Nebraska bill, and, as Chairman of the Committee on Territories, accompanied it with a special report, in which I stated distinctly "*that all questions pertaining to Slavery in the Territories, and in the new States to be formed therefrom, are to be left to the decision of the people residing therein, by their appropriate representatives to be chosen by them for that purpose.*" And, that the bill proposed "to carry these propositions and principles into practical operation in the precise language of the Compromise Measures of 1850." The Kansas-Nebraska Act, as it stands on the statute book, does define the power of the Territorial Legislature "in the precise language of the Compromise Measures of 1850." It gives the Legislature power over all rightful subjects of legislation consistent with the Constitution, *without excepting African Slavery*. During the discussion of the measure it was suggested that it was necessary to repeal the 8th section of the act of the 6th of March, 1850, called the Missouri Compromise, in order to permit the people to control the Slavery question, *while they remained in a territorial condition, and before they became a State of the Union*. That was the object and only purpose for which the Missouri Compromise was repealed.

On the night of the 3d of March, 1854, in my closing speech on the Kansas-Nebraska Bill, a few hours before it passed the Senate, I said: "*It is only for the purpose of carrying out this great, fundamental principle of self-government, that the bill renders the 8th section of the Missouri act inoperative and void.*" The article of the Washington *Union*, of Oct. 5, 1858, to which I have referred, quotes this and other passages of my speech on that occasion, to prove that the author of the Nebraska Bill framed it with express reference to conferring on the Territorial Legislature power to control the Slavery question; and further, that I boldly avowed the purpose at the time in the presence of all the friends of the bill, and urged its passage upon that ground. I have never understood that Mr. GWIN, or any other Senator who heard that speech and voted for the bill the same night, expressed any dissent or disapprobation of the doctrines it announced. That was the time for dissent and disapprobation; that was the time to condemn, if there were cause to condemn, and not four or five years later. The record furnishes no such evidence of dissent or disapprobation; nor does the history of those times show that the Democratic Party in the North or in the South, or in any portion of the country, repudiated the fundamental principle upon which the Kansas-Nebraska act is founded, and proscribed its advocates and defenders.

If Mr. GWIN did not understand the Kansas-Nebraska bill when it was under consideration, according to its plain meaning, as explained and defended by its authors and supporters, it is not the fault of those who did understand it precisely as I interpreted it at Freeport, and as the country understood it in the Presidential canvass of 1856. Mr. BUCHANAN, and leading members of his Cabinet, at all events, understood the Kansas-Nebraska act in the same sense in which it was understood and defended at the time of its passage. Mr. BUCHANAN, in his letter accepting the Cincinnati nomination, affirmed that "this legislation is founded upon principles as ancient as free government itself, and in accordance with them has simply declared that the *people of a Territory*, LIKE THOSE OF A STATE, *shall decide for themselves whether Slavery shall or shall not exist* within their limits." Gen. CASS, now Secretary of State, has always maintained, from the day he penned the "Nicholson letter" to this, that the people of the Territories have a right to decide the Slavery question for themselves, whenever they please. In 1856, on the 2d day of July, referring to the Kansas-Nebraska act, he said: "*I believe the original act gave the Territorial Legislature of Kansas* FULL POWER *to exclude or allow Slavery.*" Mr. TOUCEY, the Secretary of the Navy, interpreted the act in the same way, and on the same occasion in the Senate, said: "The original act recognizes in the Territorial Legislature all the power which they can have, subject to the Constitution, and subject to the organic law of the Territory." Mr. COBB, the Secretary of the Treasury, in a speech at West Chester, Pennsylvania, on the 19th of September, 1856, advocating Mr. BUCHANAN's election to the Presidency, said: "The Government of the United States should *not* force the institution of Slavery upon the people either of the Territories or of the States, against the will of the people, though my voice could bring about that result. I stand upon the principle;—the people of my State decide it for themselves, you for yourselves, the people of Kansas for themselves. That is the Constitution, and I stand by the Constitution." And, again; in the same speech he said: "Whether they" (the people of a Territory) "*decide it by prohibiting it, according to the one doctrine*, OR BY REFUSING TO PASS LAWS TO PROTECT IT, as contended for by the other party, *is immaterial. The majority of the people* BY THE ACTION OF THE TERRITORIAL LEGISLATURE *will decide the question*; and all must abide the decision when made."

Here we find the doctrines of the Freeport speech, including "non-action" and "unfriendly legislation" as a lawful and proper mode for the exclusion of Slavery from a Territory, clearly defined by Mr. COBB, and the election of Mr. BUCHANAN advocated on those identical doctrines. Mr. COBB made similar speeches during the Presidential canvass in other sections of Pennsylvania, in Maine, Indiana, and most of the Northern States, and was appointed Secretary of the Treasury by Mr. BUCHANAN, as a mark of gratitude for the efficient services which had been thus rendered. Will any Senator who voted to remove me from the Chairmanship of the Territorial Committee, for expressing opinions for which Mr. COBB, Mr. TOUCEY and Gen. CASS were rewarded, pretend that he did not know that they, or either of them, had ever uttered such opinions when their nominations were before the Senate? I am sure that no Senator will make so humiliating a confession. Why, then, were those distinguished gentlemen appointed by the President and confirmed by the Senate as Cabinet Ministers, if they were not good Democrats—sound on the Slavery question, and faithful exponents of the principles and creed of the party? Is it not a significant fact, that the President and the most distinguished and honored of his Cabinet should have been solemnly and irrevocably pledged to this monstrous heresy of "Popular Sovereignty," for asserting which the Senate, by Mr. GWIN's frank avowal, condemned me to the extent of their power?

It must be borne in mind, however, that the President and members of the Cabinet are not the only persons high in authority who are committed to the principle of self-government in the Territories. The Hon. JOHN C. BRECKINRIDGE, the Vice-President of the United States, was a member of the House of Representatives when the Kansas-Nebraska bill passed, and in a speech delivered March 23, 1854, said:

"Among the many misrepresentations sent to the country by some of the enemies of this Bill, perhaps none is more flagrant than the charge that it proposes to legislate Slavery into Kansas and Nebraska. Sir, if the bill contained such a feature it would not receive my vote. The right to establish involves the correlative right to prohibit, and denying both, I would vote for neither. * * * * "The effect of the repeal (of the Missouri Compromise) therefore, is neither to establish nor to exclude, *but to leave the future condition of the Territories dependent wholly upon the action of the inhabitants*, subject only to such limitations as the Federal constitution may impose." * * * * "It will be observed, that *the right of the people to regulate in their* OWN WAY ALL THEIR DOMESTIC INSTITUTIONS *is left wholly untouched*, except that whatever is done must be done in accordance with the Constitution—the supreme law for us all."

Again, at Lexington, Ky., on the 9th of June, 1856, in response to the congratulations of his neighbors, on his nomination for the Vice-Presidency, Mr. BRECKINRIDGE said:

"The whole power of the Democratic organization is pledged to the following propositions: That Congress shall not interpose upon this subject (Slavery) in the States, in the Territories, or in the District of Columbia; *that the people of each Territory shall determine the question for themselves*, and be admitted into the Union upon a footing of perfect equality with the original States, without discrimination on account of the allowance or prohibition of Slavery."

Touching the power of the Territorial Legislature over the subject of Slavery, the Hon. JAMES L. ORR, late Speaker of the House of Representatives, on the 11th of December, 1856, said:

"*Now, the Legislative authority of a Territory is invested with a discretion to vote for or against the laws. We think they ought to pass laws in every Territory, when the Territory is open to settlement

and misrepresent their character and habits. He paints a gloomy picture indeed of the honors of these Legislatures—of rival and contending factions, stimulated by Northern and Southern antipathies—of strife, rapine and plunder—of demoralization and anarchy, which, if at all truthful and historical, would go far to justify the repeal of all Territorial systems, and the utter annihilation of the whole frontier race as desperadoes and outlaws. But it so happens that the past which covers the incipient and permanent organization of more than half the States of the Union, and five times the area of its original members, has furnished us no such examples of rapine, plunder and robbery by Territorial Governments as the Attorney-General describes. If he will look a little more carefully into the history of his country—out of Pennsylvania—and especially into the character of the frontier people, he will find, even in his own political life, that States have been organized and have acquired a reputation for order, social excellence, and industrial enterprise and credit, quite equal to the Keystone of the arch itself. If the Atlantic States enjoy high degrees of prosperity, it is due to the integrity, economy and industry of the "new States." If the former have accumulated wealth, they are largely indebted for it to that very people who are placed so low on the scale of civilization by the Attorney-General. Pennsylvania is, perhaps, more indebted than any other State to the expansion of the West, for the development of its vast mineral and manufacturing resources.

We have no patience, indeed, with Judge BLACK'S estimate of the people of the new States; and very little with his views touching the character and rights of Territorial Government. He may correctly portray the future, but he grossly exaggerates and misrepresents the past. Under his theory, governments organized over the new countries are little better than systems of plunder and robbery. To their operations, however, he does not object, so far as they affect every species of property except Slavery—that interest only demanding higher representative integrity and surer organic guarantees for its protection. If all property acquired in the States is in legal contemplation, of the same character, why intrust one species and withhold another from Territorial management? There is no foundation for such a distinction, and we want no better evidence of this than is furnished by Judge BLACK himself. A legal distinction, founded alone upon the policy of withholding from Territorial Governments the authority to control private rights, on the ground that the people are not sufficiently honest and intelligent to exercise it, is not well made. Nor does it derive additional strength from the elaborate depreciation and misrepresentation of their character and qualifications by one of the leading public officers. This rule of interpretation would convict a criminal on general testimony affecting his conduct, without the least regard to the statute law defining the offence committed. It would justify a debtor in withholding his effects, on the plea that he could manage them better than his creditor. It would substitute policy for law. We are, however, not called upon to consider what ought to have been the powers conferred upon the people of the Territories and upon Congress—the question is, What powers are conferred by the organic law of the Union?

We must take our complicated political system as we find it. Perfection in all the parts is not to be expected. The States may fail to discharge all their obligations under the Constitution. Congress has, doubtless, many times failed to perform all its duties to the States. We are amongst those who believe that, under this Government, there is no such absolutism as sovereign political rights—State, Federal or Territorial.

No one political community out of the two score or more which exist is or can be independent of the others. Congress may exercise only such powers as are conferred by the compact of union. The States are restricted by the concessions made to Congress; and the Territories, though limited to a narrower sphere, still possess independent political rights. Government in this country means something. In every case it is based upon the popular will, not even excepting the District of Columbia, which is a municipal government. Our entire system rests upon the idea of perpetuity. Once organized, no matter where, with legislative authority, and governed by laws fixing the relations and rights of its citizens, it cannot be suppressed, because it is the right of every people, a right based upon the principle of self-defence and self-preservation, to have a government. By the Kansas-Nebraska act the people of those Territories were authorized to establish governments. Congress reserved to the President the appointment of local Governors, and extended over them a federal judiciary. The governments thus ordained and warranted become permanent in character, though subject to certain organic changes. The repeal of the act of 1854 would not, in our opinion, deprive either of them of the essential attributes of government, or affect the rights of persons or property sanctioned by local legislation. We maintain, indeed, that all governments organized under republican forms enter at once into the general system, and become permanent and indestructible. Those of the Territories, in respect to this attribute, are not less so than the States. They possess general legislative authority, subject only to constitutional limitations, and do not differ essentially, in respect to local political rights, from the States themselves. The latter, by virtue of original authority, may exercise absolute discretion over the subject of Slavery; but they have no power to impair private rights, which it is the duty of all governments to protect, and the province of absolutism alone to destroy. Local communities represent the States in respect to federal property, and they are, by every fair interpretation, bound to deal justly by the citizens of the States, even to the extent of protecting them in the possession of slave property, if they desire it. It must not be maintained, however, that because the people of the Territories derive their legislative authority from Congress, and, during their pupilage, represent the States, that therefore the latter may, at any time, either abrogate or annul such authority, or assume to exercise the functions of government therein. Having once delegated to the territorial people the right to establish their own political institutions, so long as they act within the scope of the Constitution, and maintain order and law, their governments exist *de facto et de jure*. They are not mere incorporations, limited to the exercise of commercial privileges—special charters created for the benefit of trade. They have a nobler mission in this great work of democratic rule; a higher significance and a more permanent character. They are the creations of the people. They constitute a part of the machinery of free government on this continent. They lie at the very foundation of our political institutions. There is not a member of this great confederacy, records of whose history do not run into territorial conditions, nor one whose government has undergone any essential modifications, so far as the local law is concerned, in assuming the government of what we call State sovereignty. We have an American law on this subject—a law which proclaims that political government in the United States—State and Territorial—as it is based upon the popular will, so is it permanent and indestructible.

But let us admit for the sake of the argument the position of Judge BLACK that "the Constitution regards as sacred all the rights which a citizen may legally acquire in a State." If the Constitution "regards" slaves as property, why limit the holder of it to the Territories? If it has the sanction of the supreme law, why not give it currency, if we may so speak, within the entire jurisdiction of that law? Again, if the Constitution "regards" slaves as property, no matter how it is acquired, why does Judge BLACK instruct us in another part of his paper that "the subject black race is neither bond nor free by virtue of any general law"? But the question recurs, even admitting the theory referred to, whether it is the right of any citizen to take his slaves to a Territory, and there claim protection for them which the States are not bound to render under like circumstances?

Equality of rights of all the people of the Union and of the States is a fundamental principle of the Government. The South invoke this principle as the basis of their claim to hold slaves in the Territories, on the ground that they are the common property of the States. The question is whether in applying it, for that purpose, they do not in fact acquire more than is consistent with the integrity of the rule they urge? If a citizen of a Slave State may take his slaves to the Territories, and exact protection for them, does he not acquire rights thereby which are denied to the people of the Free States? The former holds his property by virtue of the laws of Virginia, for instance; what property may a citizen of New-York hold in the Territories by virtue of the laws of New-York? Is it answered that the latter may purchase slaves in Virginia, transport them to Nebraska, and hold them as property? This does not remove the objection that the Slave States may under the rule urged exercise powers of government where the Free States are utterly excluded, thus establishing a constructive inequality which can be justified only by express constitutional authority. By this rule the right to hold slaves in the Territories attaches solely to the property acquired therein, and not to the persons who purchase them, because it singles out that species of property from all others, and gives it a currency which is denied to all other property. We see no way of removing this difficulty except by adopting at once the theory that the Constitution not only "regards" slaves as property, but *proprio vigore* establishes that relation in all the Territories of the Union.

It may be regarded as a little remarkable that the Constitution, in adjusting the relations and rights of the States and the people, without employing a word on the subject, should, by construction, be held to except slave property from all other property, and to have secured to it extraordinary immunities and rights. We do not believe that the framers of that compact intended to do more than settle general principles of government; certainly not to declare what is and what is not property in the hands of any individual in defiance of the local law. But if in this we are wrong, it follows that Congress possesses full authority to legislate on the whole subject.

But let us admit, for the purposes of the argument, that Judge BLACK'S theory of private rights is correct; that slaves acquired in the States may be taken to the Territories, and there held "like any other property,"—that by virtue of the common proprietorship of the members of the Union, the Slave States have authority to dictate what laws shall be enacted by the local governments on the subject of Slavery. The propriety, nevertheless, of exercising such control should be calmly considered. Policy may be said to counsel where principles command. Policy invites the mariner to take in sail on the approach of the storm. Policy counsels the general to accept or reject a battle tendered by the enemy. The exercise of policy is often necessary to give effect to principles, or save them from sacrifice. Is it sound policy to force Slavery upon a people who are opposed to it?

Territorial governments are temporary in their nature. The exercise, then, over them by the Slave States of superior rights with reference to the holding of slaves therein as property, must of necessity terminate when they are admitted into the Union. Is it worth while to enforce such rights against a hostile local opinion for objects so trifling and for a time so short? No candid man who has risen above the influence of the sectional strife which has so long degraded our political system will for a moment justify the policy of forcing Slavery upon such communities. If the South desire the expansion of Slavery, it is folly to waste energies upon its establishment over those countries where their legal control is so soon to terminate. If Slavery is a blessing, let those who would extend its influence confine their efforts to establish it where it can be maintained. What prudent man would build a house upon property the possession of which he could command only for a few months or years? Who would invest his money where the laws forbid the enforcement of obligations? What propriety is there in maintaining the right of a citizen to hold his slaves in a Territory the people of which are opposed to slavery? The answer is doubly conclusive: No sensible person will risk his property in such a place; and if he were to do so, he has no assurance, even upon the basis of the extremest Pro-Slavery construction of private rights, that it will not be taken from him by the machinery of a State Government. We hold the policy of enforcing Slavery upon an unwilling people, then, to be nothing more nor less than political madness. There is not a grain of practical sense in it. It is far more damaging in its effects upon the South than upon the North. It brings the former into contempt, as it convicts them of fitful and spasmodic efforts to exercise power without the possibility of giving permanent effect to the principles which they profess to regard as important to their own welfare and to the common welfare of the whole country. It wastes their energies upon the reduction of a fortress which they have agreed to abandon on the very eve of their triumph.

We must not be misapprehended upon this point. We are discussing the policy of claiming the right by slaveholding States to hold slaves in those Territories the populations of which are acknowledged to be hostile to the institution of Slavery. We are condemning the effort which is being made to enforce Slavery upon such a people, even upon strictly legal grounds.

The repeal of the Missouri Compromise is justified, in our judgment, by the simple fact that it was an unconstitutional and purely sectional enactment. It proposed to create two governments, in fact; one for the North, where Slavery was prohibited, and one for the South, where it was permitted. It ordained positive inequalities between the North and the South; conceding to the latter absolute freedom, but imposing upon the former an odious dictation by an unwarranted Congress. In this view, the repeal of the act was demanded, on the principle of doing penance by the return of stolen goods. It was due to the integrity of the Union, the fundamental principles of which had been violated by the creation of an arbitrary line of distinction between the same people, thus recognizing the conflict of opposing forces in the same political family.

Had the Missouri Compromise been enacted upon competent authority, the South would have had no occasion to ask its repeal. It was a measure which, to a great extent, protected the South against the enormous preponderance of Northern and European emigration. The public Territories thrown open to free ingress, and there can be no question about the sectional party that will control them, especially up to the Missouri line, which was a wall that an adventurous few only were likely to overcome.

The Territories are open to general emigration. There is no power on earth that can change this law. It follows that public opinion in the Territories will be controlled by the character of emigrants, a large majority of whom are really hostile to Slavery. We may as well admit this much, and in admitting it we concede that a large majority of the new States now in process of formation will be what we call Free States, will send Free State representatives to Congress, and fix forever the opinions of that body touching the forced extension of Slavery.

If we are right in thus giving a practical view of the question of Slavery in the Territories, and in exhibiting the future character of Congress, it follows that the South have only to take one more step in their impolitic career of forcing the rights of slaveholders, and that is to appeal to Congress for protection of slave property, except under the extradition article of the Constitution, and they will have accomplished all the evil that a mistaken zeal for Slavery is capable of effecting. If Congress gains jurisdiction of the subject, on the application of the South, it is easy to see, at least, that the powers of that body will not be exercised for its benefit or advantage.

On the other hand, the South has no chance whatever of creating out of existing Territories, or those to be acquired, another Slave State, except on the principle of absolute non-intervention by Congress, and absolute territorial independence. Nothing is more certain than that Congress hereafter, no matter by what party controlled, will never undertake to extend Slavery in opposition to local public opinion, and if the power is conceded to that body, we would dislike to insure against its exercise in utter contempt of the wishes of any local community which might desire to establish slave institutions. In this view of the preponderance of the Free States in Congress, and of the character of immigrant opinions, we have no difficulty, as friends of peace and harmony in the whole country, without a single prejudice against Slavery as it exists, and consulting the highest interests, in fact, of slaveholders themselves, in arriving at the conclusion that the South, instead of the North, should be deadly hostile to Congressional intervention, and should insist, as upon a legal right, involving their protection in its enforcement and their ruin in its failure, upon the completest authority of all local communities to decide for themselves what shall be their domestic institutions.

Perhaps in the whole range of the subject discussed there is not a more profitless point of controversy than that which is involved in fixing the tenures of Slavery. The labors of the Attorney-General upon this branch of his argument are sufficiently original to invite examination. After declaring that the black race is neither bond or free by virtue of any general law, he defines the rule to be thus: "That portion of it (the black race) which is free, is free by virtue of some local regulation, and the slave owes service for the same reason." By this law the normal condition of the black race is that of servitude; certainly so if the portion of it which is free is free alone "by virtue of some local regulation." Judge BLACK has left us in no doubt of his meaning by adding the concluding words of the sentence quoted, "and the slave owes service for the same reason." What reason? Because he is not included in that portion of the race made free by "local regulation." It is not often that controversies are so nicely balanced as to leave the wrong all on one side and the right all on the other; but we believe the Attorney-General has, for once at least, presented such an example. Had he defined the rule to be precisely the reverse of that laid down, he would have effected a nearer approach to the truth. Let us rearrange the commentary and make it read: "That portion of the Black race bound to service is held by virtue of some local regulation; and that portion of it which is free, is free because the local law has not enslaved it." Slavery exists solely by virtue of the local law,—and we respectfully suggest that it would promote the highest interest of slaveholders and add to their permanent security if they would confine it to the local governments which have the power to establish it. Neither the Federal nor State Governments have the power, at all events, to control the subject beyond the period of admission into the Union of the new States; a fact which, in the minds of sensible men, will go far to condemn the policy of forcing Slavery into the midst of hostile local opinions, and to justify the doctrine of Congressional non-intervention and self-government in the Territories.

All that is said against the policy of intrusting the control of private rights to Territorial bodies and in defence of the States as the safer guardians thereof, has very little force. The people, in point of fact, nowhere exercise that discretion at the polls which is presumed to constitute the governing principle of our elective system. A vast horde of professional politicians, stimulated by interest ambition and habit, do more of the work of real government than the people themselves. They control elections and legislation, and expound and enforce laws. This class of persons, North and South, have made the "Slavery question" a real instead of an imaginary difficulty; and Judge BLACK has contributed his share to the work of keeping it alive, in the face of the fact that it was fast losing all interest as a practical matter of dispute between the two sections of the Union.

The policy of Judge BLACK, whether he so considers it or not, is certain to force on that "irrepressible conflict," of which we have heard so much "between the opposing forces" of Freedom and Slavery. This is evinced by his efforts to carry that institution into communities where he knows it can have only a sickly and temporary existence. There is no possible point of conflict between the Free and the Slave States so long as they are limited to their own jurisdictions; it is only by forcing the jurisdiction of the latter over distant communities that difficulties of a serious nature are engendered. And what is, in reality, the character of those communities that they should be governed by foreign laws and institutions? They are made up of the citizens of the old States. They are an educated, enterprising, active people. They have had experience in the affairs of Government. They maintain social and political order. They administer upon estates; fix the relations of husband and wife, guardian and ward. They organize schools and churches; they build cities, regulate the general business of the community, promote industry, punish crime and enforce obligations. The Kansas-Nebraska act, in organizing those Territories, left the people thereof perfectly free to form and regulate their own domestic institutions in their own way. Mr. BUCHANAN declared to the Cincinnati Convention which nominated him for the Presidency:

"This legislation is founded upon principles as ancient as free Government itself, and in accordance with them, has simply declared that *the people of a Territory, like those of a State*, shall decide for themselves whether Slavery shall or shall not exist within their limits."

Slavery was the only question raised. The issue of the canvass of 1856 had been made up between those who nominated Mr. FREMONT and those who nominated Mr. BUCHANAN upon that question alone. All other property interests were regarded as quite safe under the control of local Legislatures. In using this emphatic and explicit language Mr. BUCHANAN intended fully to indorse the principle of Territorial self-government, and to condemn and repudiate the whole scheme of Congressional intervention. It was not a question of policy with the nominee; it was a matter of principle—a "principle as ancient as free government itself." It would be unfair to hold Judge BLACK responsible for those opinions; but it is wholly just to hold Mr. BUCHANAN responsible for the paper of the Attorney-General. The latter was written under the eye of the President. It is, in fact, his revised opinions upon the whole subject. They differ widely from those uttered to the Cincinnati Convention, and our chief solicitude is to ascertain whether the judgment of the President was not very much better in 1856 than in 1859. We are certain it was, even to the extent of having been right in the former and utterly wrong in the latter year.

We have nothing to say about the inconsistency of the President in changing his views; but it might have been better to alter them from wrong to right than from right to wrong. We have no respect for that kind of consistency which maintains opinions at the expense of truth and justice; certainly none for that inconsistency which, in the pursuit of a partisan object, abandons both under like dictation.

As late as the 2d of July, 1858, Mr. TOOMBS, in the Senate, on the motion to refer the special message of the President communicating the Constitution of Kansas to the Committee on Territories, said:

"They (the people of Kansas) were left perfectly free *to make their own institutions*, without interference from Congress, which had assumed in 1820 the right to prescribe them and say that they should not. In 1820 Congress said: 'No matter if every man in Kansas, if every man in Minnesota desires his institution to suit himself on the subject of Slavery, he shall not be allowed to do so, but we will do it for them.' Congress assumed, as a matter of conscience, that it was its duty to do this for the people. To that we objected. *We denied the power and the policy.* Upon the question of power we have been maintained by the Courts, the expounders of the law; on the policy of the measure we have been defended by the highest tribunal known to the country, the people."

Mr. TOOMBS maintained the doctrine of Mr. BUCHANAN in 1856, the act referred to by the latter, and that Congress in disavowing its authority to legislate for the territories, declared, "that the people of a Territory, like those of a State, shall decide for themselves whether Slavery shall or shall not exist within their limits."

The Attorney-General, on the other hand, while he is emphatic in the declaration that "the Constitution does not establish Slavery in the Territories, nor anywhere else," and is equally explicit in the opinion that local Governments are powerless over the whole subject, insists that the States can, by virtue of their laws, not only create Slavery in all the Territories at the will of their citizens, but that the Federal Constitution protects and upholds it, when thus established, in defiance of the institutions which both Mr. TOOMBS and Mr. BUCHANAN concur in saying, the people were free to make. If the Attorney-General will so alter his "opinion" as to deny the power of the States or Territories to confiscate private property and insist that Slave property shall be regarded and held like any "other chattel," it will at least be consistent with itself if not entitled to the merit of logical and convincing argument.

Now let us examine for a moment the practical operation of the principle that the Territorial people "must wait till they get a Constitutional Convention or the machinery of a State Government into their hands" before they can exercise the powers which are reserved to the State.

About two years ago the people of Kansas adopted a Constitution, organized a State Government, and applied to Congress for admission into the Union. The application was resisted, on the ground that a majority of the people did not participate in the preliminary elections, and of fraud, which was alleged to have tainted the entire proceedings. Judge BLACK and his friends, including Mr. BUCHANAN, sustained the application, on the bases mainly, that it was the right of the people of Kansas to form and regulate their domestic institutions in their own way; that the alleged "majority" refused to vote, and thereby worked their own disfranchisement; that the right of the people being perfect, Congress could not go behind the election returns and determine whether frauds had been committed or not. The application was rejected. A year and a half has passed; thirty per cent. has been added to the population of the Territory; every department of its industry has been wonderfully advanced; large commercial cities have risen up therein; schools and churches organized; railroads constructed; order and law maintained. Notwithstanding these evidences of progress and enlightenment, it is now maintained, under the new theory, that the people of Kansas are incompetent, by reason of lack of experience, intelligence and integrity, to exercise the ordinary functions of government over their own rights of property; and that it is safer to intrust those rights to the control of a distant and foreign legislative body. By this rule the people of Kansas were honest, capable, worthy, and so invested with sovereign political power, that Congress could not even question the forms under which it was exercised in the year 1858; and without authority, dishonest, incapable and untrustworthy in the Fall of 1859. What a beautiful and harmonious system! To-day enfranchised, to-morrow disfranchised! All this is the operation of the same law, under the same Federal Administration, by the advice of the same law officer of the Government.

EDUCATION IN RHODE ISLAND.

State Teachers' Institute—Discourse by the Rev. James M. Manning, of Boston, on "The Bible in the Public Schools"—Rhode Island is Faithful to her Principles—The Colored School Question.

Correspondence of the New-York Times.

PROVIDENCE, R. I., Wednesday, Oct. 26, 1859.

The teachers in Rhode Island assembled here, yesterday, in the Central Congregational Church, to hear discussed matters pertaining to education, and lectures and addresses on various topics connected with school studies and discipline. The School Commissioner, recently appointed, Dr. J. B. CHAPIN, presided over the Convention, and opened it by a very forcible and interesting address on the importance of education, its objects, past and present state, and the necessary qualities of successful teachers. A practical exercise on Elocution was given by the Rev. FRANCIS T. RUSSELL, and one on Geography by Mr. GODWIN, of the Rhode Island Normal School. He suggested that the proper course of teaching Geography was, first by the situation of countries, size and area, physical features, climate, soil and productions. He urged the necessity of map-drawing in all schools. The discourse for the evening was delivered by the Rev. JAMES M. MANNING, of Boston. A large assembly were gathered of teachers and friends, to listen to his able exposition of the importance of the Bible being retained in the public schools. The discussion of the theme, so far as it excites dispute, was principally between Catholics and Protestants, and hence he regarded Catholics as his special opponents. The friends of popular liberty, who believe that the Bible is the fountain head of their principles, cannot be charged with opening the discussion. It has been forced upon them in New-York, Boston and Cincinnati. Rhode Island must be classed with other States friendly to the Bible in their Schools, provided it can be shown that the Bible lies at the basis, and is requisite to the permanence of our free institutions. He then considered, under five heads, the right of the Bible to be placed in the schools of the country.

1. The free spirit which led to the colonization of New-England, was awakened by the Bible, in opposition to civil and ecclesiastical despotism.

2. The civil polity of the New-England colonies was framed in resistance to despotic ideas of government, to secure those rights which had been discovered in the Bible.

3. Our public schools were instituted to enable the civil polity thus drawn from the Bible, to perpetuate itself. And under this original idea, he showed that the object of the public schools was to perpetuate the State. The whole theory of monarchical government was opposed to the education of the common people. They existed in a state of tutelage. Yet the King's immediate followers were educated—all those whom he made a means to promote his own designs. The masses of the people were conformable to the machinations of the priestcraft, and they were controlled by the bishops, and they acknowledged no head but the Pope. The policy of a Republican Government was to educate the masses. They must know what laws and institutions are best for them. If the Bible is their charter, they must see that children are made familiar with it. He showed the history of education in Massachusetts from the period when the first law was enacted in 1634 favorable to school instruction. The enthusiastic policy of FISHER AMES, and Mr. GRIMKE, of South Carolina, regarding the supremacy of the Bible in the Schools he regarded as not favorable. The principles of the Bible are now transferred to the text-books of our Schools, and its very spirit was engrafted in our Constitution and laws.

4. The fifth point why the Bible should be placed in the Schools was—that it was a very reasonable demand that those persons wishing to share in the privileges of a Democracy should make up their minds beforehand, to conform to its polity.

He then considered the fear respecting the Papacy, lest their object in rooting out the Bible might be accomplished. The danger might be classed as owing to these causes: 1. The persistency of the Romish Church. 2. The forgetfulness of how much is involved in the least concession. 3. The extravagant wish of some to be tolerant. 4. The great amount written and said against the Bible, which tends to smooth the path for the papacy. 5. Political ambition. Under the last head he spoke of bribery, corruption and the temptation to fall into the wily snares of the priestcraft, in order to promote self. He considered the ultimate result as safe. The country could never fall into the hands of the profligates of Papacy. The only danger was, that the evil would not be promptly checked at the beginning, and that the bold yeomanry, losing confidence in their public servants, would rise and fall like a thunderbolt upon the foe. He urged the necesity of keeping the Bible as the corner-stone of our liberty, and to pursue a bold but manful course in its defence.

The address created a great impression on the minds of its hearers. The idea laid out that the mission of the public schools was to perpetuate the State, was a beautiful one, and was supported by undeniable argument. This point with the others considered, regarding the importance of the Bible as a text-book in the schools, would not fall upon deaf ears here in Rhode Island. The very spirit which actuated the founders of the State, upon these matters, exists to-day in its purity and patriotism. That conscience should be respected was the early characteristic opinion of the people, and, as history proves, is fully carried out. But never will the people of Rhode Island, even in their loyalty to these hereditary principles, allow the least approach to the subversion of their liberty, even though the plea of conscience be urged in its behalf.

It would be a difficult matter to determine the position of parties on the question of colored schools. There appears to be many diverse opinions regarding it, some supporting the insurrectionary movement, and the others favoring the present system. The subject will demand argument in some shape at a future time.

SECOND DAY.

ADDRESS BY GEORGE SUMNER, ESQ., OF BOSTON—HIS VIEWS ON THE BIBLE IN THE PUBLIC SCHOOLS—A POLICY NOT APPLICABLE TO AMERICA—THE RHODE ISLAND PRESS ON THE HARPER'S FERRY INSURRECTION—A NEW RAILROAD.

PROVIDENCE, R. I., Thursday, Oct. 27, 1859.

Yesterday was the second day of the Teachers' State Convention in this city. The teachers were addressed and exercised during the morning and a portion of the afternoon by Mr. GODWIN, of the State Normal School, in geography. He suggested that there should be a much higher course of study pursued in schools in physical geography, and that the best manner by which to present the subject was by familiar lectures condensed from the best books on the subject. He referred to the facts of the upheaving of mountainous ranges, caused by the weight of the oceans and other bodies of water. He suggested the topics: 1. *Formation of the Earth.* Influence of interior forces upon its surface, the upheaval of continents and islands, the formation of soils. 2. *Modifications of the Form of Water.* Rivers, lakes and oceans, and the appearance of volcanic islands. The subjects next introduced in geography should be: *Springs, with their phenomena, Mountain Torrents, Brooks, Rivers and Seas.* He considered meteorology and the development of plants which were made for the earth, and then spoke of the animal kingdom. He delivered a lecture on Mental Philosophy, illustrating the three peculiarities and phenomena of mind—the objective or observative, the thoughtful and the reasoning periods. Mental philosophy he deemed of the utmost value to the pupil in strengthening and developing the faculties, for which it was more of an object than to impart facts or theories.

Prof. DUNN, of Brown University, gave a lecture on the Methods of Studying and Teaching English Etymology. He reviewed the history and character of English literature, and gave practical exercises in etymology.

Prof. GREEN, of the University, conducted an exercise on analysis, discussing the pronouns.

Exercise in music was given by Mr. LOOMIS, in which he referred to the condition of the art in past history and at this age, and pronounced it much degenerated. He thought the common schools were the place to cultivate a musical taste.

Last evening a crowded audience assembled to hear the address of GEORGE SUMNER, Esq., of Boston, on the "History and Condition of Education in Greece, Holland, Ireland and France." After sketching the exalted state of education in Greece, with her envied University of Athens, having five Faculties and forty Professors, a library of 80,000 volumes of free access to every one; the state of education in Holland and France; he passed to Ireland, which had been disturbed by the fires of sectarian strife. He deemed it an easy matter to settle the vexed question of the Bible in the public schools. "In Ireland, only a few years since, the hostility of races and religion was nowhere more apparent than in the institutions of learning; but now there are nearly 6,000 schools in which the children of parents of different denominations are brought together in feelings of charity and good will, and taught to regard each other not as children of parents of rival sects, but as fellows in the same redemption." The reason stated how this harmonious state of things was effected was the influence the two Archbishops of Dublin, Drs. WHATELY and MURRAY, who, when the demand was made by one sect for the reading of the Bible and refused by the other, applied to the enlightened Dr. ARNOLD, of Rugby, to prepare "a volume of Scriptural extracts which should contain the most striking moral injunctions, and yet avoid such passages as had been used to awaken the fires of sectarian strife." In this way, said Mr. SUMNER, more than half a million students are taught to revere a book which, under the old system, they had been led to regard merely as the arsenal of controversies. Mr. SUMNER thought that the difficulties in this country regarding the opposition to the Bible to be used in our schools could be surmounted by pursuing a charitable and forbearing course with the opponents. Mr. SUMNER is an able man, an acute observer, and, possibly, he may be correct in his views of removing this daily increasing trouble. But most people of intelligent understanding must see that the doctrine applicable to Ireland is not at all capable of being applied to this republican country. A concession of as much importance as abolishing the Bible, and substituting a book containing merely moral truths, in our schools, would be a dangerous policy. It would be recognizing the allegation which the Papacy are ever toiling to impress and put in practice, that there exist objectionable sentiments in the Bible, and it should not be used in our public schools. It would be granting to a sect what they ask for, in order to establish more firmly their yoke of priestcraft. The Bible is the charter of our nation, and to render it subservient to the demands of any sect would be contrary to the spirit which actuated the founders of the country, contrary to the temper of our free institutions, contrary to the laws which govern the progress of the nation, and contrary to every truly American feeling and impulse.

The public journals here are lively on the Harper's Ferry affair. The *Journal*, ably conducted by Senator ANTHONY, denounces the insurrection, and pronounced the declaration of the Democracy, that it was the work of the Republicans, as "living calumnies." It says that BROWN was acting in strict conformity with the practices of Democrats rather than Republicans, and that he was accomplishing the objects of a madman in the very way that the Border Ruffians took to force Slavery upon Kansas. It denounces the weakness of Southern society, and lays the whole blame of the affair to the presence of Slavery. The *Post*, of course, as a Democratic organ, and one of the ablest in New-England, believes that it was a thoroughly organized rebellion by the Republicans "to subjugate the Slave States, an underground movement on a large scale, having for its final purpose the forcible overthrow of the Southern States and the liberation of slaves." It thinks that if a movement were made in New-England to rescue BROWN, it would be liberally supported. Such are the opposite views of the two great parties which these papers represent.

A movement has been recently renewed to establish railroad connection between Newport and Fall River. Speculators are engaged in it, and it is understood that the project will be commenced in a few months. There is not a single railroad diverging from this famous watering place, and when this is put in operation there will be a direct communication with Boston, and probably another one with this city. Enterprise will then be inaugurated at Newport, and the people awakened to a realization of the progress which distinguishes the age. HIPPARCHUS.

Spiritualism.

FAMILY DIFFICULTIES—THE CASE OF WM. HOLMES, OF TROY—HIS ARREST IN CHICAGO.

The Chicago *Times* publishes a report of the arrest of WILLIAM HOLMES, formerly a merchant in Troy, N. Y., whose sudden disappearance was noticed a few months since. The *Times* says: "A writ was issued in this city upon the petition of Mrs. CHARLOTTE LOUISA HOLMES, praying the Court to award her the custody of three children detained in the possession of her husband, WILLIAM HOLMES; also for an injunction upon said WILLIAM, to restrain him from selling, or otherwise disposing of his estate until a decree shall issue providing for the support of the wife and children, and also for a writ of *ne exeat republica*, to restrain said WILLIAM from going out of the State until the petitioner's rights in this behalf shall have been determined.

From the petition and accompanying documents, we are enabled to present a history of this remarkable case of spiritual delusion and wrong-doing.

WILLIAM HOLMES was a merchant in the City of Troy, New-York; a man of reported wealth, and lived in affluent style with his family, at No. 43 Third-street. He was married to CHARLOTTE LOUISA, Dec. 3, 1842, at Albany, N. Y., by the Rev. Mr. KIPP (now Bishop KIPP.) For ten years they lived happily together, all the time (except two years) in the City of Troy. Four children were the fruits of this union, one of which is dead.

In 1853, HOLMES became interested in "Spiritualism," and joined the sect. His interest in their proceedings grew with all that he witnessed, until soon he became a believer and joined their sect. From this time his kindness to his wife began to diminish, and soon a marked change in his demeanor took place. He had frequent Spiritual "circles" at his own house, and kept one or more female "mediums" constantly about him. In the Fall of 1856, HOLMES discontinued business in Troy and removed to Beloit, Wisconsin, where he purchased a farm and brought his wife and family to reside. For the farm was paid the sum of $10,000. The family remained together in Beloit until December, 1858. Some time prior to this date HOLMES made a quit-claim deed of a small piece of his land to a water-power company, they desiring to overflow it. Mr. HOLMES examined and readily signed the deed for the purpose specified. Afterward, and shortly before he left the place, HOLMES came to his wife one day with the statement that a water-power company wanted a warranty deed in the piece of land mentioned. He produced such a deed, which she examined and found that it described the same tract previously quit-claimed. She accordingly consented to sign it. HOLMES took the paper from her hand, and she preceded him into an adjoining room where a notary was in waiting to take her acknowledgment. HOLMES came in and placed the deed, partly folded, on the table for her to sign. Without suspicion of wrong, she affixed her signature and signed the acknowledgment, which was certified by the notary. HOLMES then took the paper away.

On the 23d of December last, HOLMES returned to Troy for the purpose of engaging again in business, taking with him the eldest child, a daughter, 15 years of age. The other children were to remain with their mother in Beloit until the first of May following, when they were to remove to Troy. HOLMES went into the mercantile business with his brother-in-law, HORTE N. LOCKWOOD, under the style of "LOCKWOOD, HOLMES & Co." He also found a "Spiritualistic affinity" in the person of a Mrs. RAINEY, a woman who is said to have absconded from her husband in Illinois on account of a lack of such affinity. He continued, however, to correspond with his wife.

In a letter dated March 5, 1859, to "my wife," then at Beloit, he makes the formal proposition that they separate. He asserts that, during the sixteen years of marriage, they have both lived in the very "worst condition of slavery that exists on the face of the earth—matrimonial bondage." He asserts that while their marriage love vanished, and left them "only two icebergs chained together." He asserts that all their feelings, disposition, temperament, etc., etc., are of opposite nature, and that for them ever to live together again with any assimilation "one of us should be made over of very different materials." He proposes to settle their "business affair" (separation) in a "business manner," and wishes her to name the amount of property she will take as her share. Of this he treats at length. He declares that he will be rejoiced to hear of her marriage with some person who will be her "husband," but says *he* will never marry again. He declares that marriage of the present day is only "licensed adultery," and he will not add to his present weight of sin by longer living in it.

The wife firmly rejected all propositions of separation, and wrote to her husband, April 15, that she should immediately start for Troy. Two letters from Holmes, previous to this date relate entirely to her arrangements for coming to him, and are written in a business-like and good-natured style, one of them, however, terminating with "your husband by statute law only." In reply to her letter of the 15th, he seems to burst into a fit of violent rage at her decision to come so soon. He had told her to ship the furniture in advance of her own departure, that he might have everything ready for housekeeping, and not trouble the "old folks," which, he declares, "is devilish humiliating to one." And "there is no occasion for it, only your wilful disposition to make me all the trouble you can; but, thank God, it's most through with, for I will dive to the lowest depths of hell before I will be any longer cursed." Mrs. HOLMES received this letter at Beloit, and waited until the 1st of May, when she returned with her two children to Troy. HOLMES *refused to receive her as his wife*, or to allow her to live with him; but insisted that she should give up the children and never see them again. At length, after much importunity, she prevailed upon him to allow her, for the sake of her children, to go into the house in which he was living; but he refused to occupy the same apartment with her, and insisted upon an entire separation.

HOLMES subsequently returned to Troy, abducted his children from the mother, and then caused his furniture to be sold by his relatives. Mrs. HOLMES proceeded at once to take measures for obtaining legal redress. Her legal adviser in Troy, A. B. OLIN, Esq., to whom she related the real estate transaction at Beloit, wrote to the registrar of deeds for Rock county, and received for reply that the deed which she had signed, supposing it to be a conveyance simply of a small fragment of land to the Water Power Company, was in reality a conveyance of the entire estate—some 200 acres—to HORACE N. LOCKWOOD, HOLMES' brother-in-law, who had reconveyed it, a few days afterward, to another relative of HOLMES'. It plainly was the husband's design to deprive his wife not only of her children, but of every means of support. He left her, on his coming to Chicago, entirely penniless, and dependent upon her friends for even the necessaries of life.

NEBRASKA.

Developments of Election Frauds—Illegal Voting.

From the Omaha City Republican, Oct. 19.

We had expected great frauds in this election by the Democracy—but we were not prepared for such extensive and barefaced ones as we have the evidence of before us. The *Nebraskian*, of Saturday last, announced, with a great flourish of roosters and and jackasses, that Dr. HENRY had just got in from Fort Kearney and reported 292 majority for ESTABROOK west of Loup Fork. On this news it claims the election of Gen. ESTABROOK by 400 majority, doubtless anticipating heavy frauds at Fort Randall, or in that vicinity. We sought after and found Dr. HENRY to ascertain from him where this pretended majority was obtained. He reported that Nebraska Centre gave thirty-eight votes, Centralia sixteen, and Fort Kearney, two hundred and thirty-eight, all of which were cast for Gen. ESTABROOK.

This Fort Kearney precinct is 180 miles west of this city, and is beyond the limits of any organized county in the Territory; it is on the main trail to the Gold mines. There is an old fort at which are stationed two or three companies of United States soldiers, a trading post, and two or three ranches. There is not and never has been twenty-five *legal* voters there at any one time! Yet the villains who *make out* majorities for modern locofocoism, have had the impudence to return 238 majority from that precinct for Gen. ESTABROOK. And we suppose the three Federal officials who constitute the Territorial Board of Canvassers, will count them, and on that count give Gen. ESTABROOK his certificate of election! Indeed, it has been understood and talked about in our streets for months past, that this precinct was created without the authority of law, for the express purpose of perpetrating frauds sufficient to overcome any majorities the people might give against the peculiar friends of popular sovereignty. These frauds were premeditated, and the Democratic Party is responsible for them. We have the best of reasons for believing they were perpetrated at the suggestion and by the arrangement of prominent Democratic officials. Every member of the Board of Canvassers knows that the return which gives 238 votes at that poll is false. We shall see whether Gov. BLACK, Chief Justice HALL and Attorney-General BOWEN will dare to count the villainous return, and on it perpetrate the imposition upon this people of giving Gen. ESTABROOK a certificate of election. We confess to fears that they will do so.

During the week several gentlemen have come into town, who spent election day at the Fort. They have made affidavits exposing what they saw at the polls, and how the election was conducted. We have never in our lives heard so sickening and disgusting a recital of depravity as these gent

INSTRUCTION.

MRS. WILLIAMES'
FRENCH AND ENGLISH
BOARDING AND DAY SCHOOL,
No. 26 West 39th-st.,
near 5th-av.
Is now open for the reception of Pupils.
An omnibus will be provided for pupils residing at a distance.

MR. GEO. C. ANTHON'S
CLASSICAL, FRENCH AND ENGLISH SCHOOL,
(with Gymnasium under special teacher,) No. 872 Broadway, corner 18th-st., reopens Sept. 5. Circulars at Randolph's, No. 683 Broadway, at No. 158 2d-av.; at Christern's, No. 763 Broadway, and at the school. There is a preparatory department for boys from 6 to 8 years old.

MARSH'S COUNTING-ROOMS,
For Practice and Instruction in
BOOK-KEEPING AND BUSINESS AFFAIRS,
No. 348 Broadway, Appletons' Building.
Circulars, with full particulars, on application.
MARSH'S COMPLETE WORKS, new and beautiful editions, printed in colors, for sale.

COOPERSTOWN SEMINARY, AT COOPERSTOWN, N. Y.
Term begins Nov. 11. $120 per year.
R. C. FLACK, A. B., Principal.

MOUNT WASHINGTON COLLEGIATE INSTITUTE,
No. 218 4th-st., (corner of Macdougal-st.,) on Washington-square.
Messrs. CLARK & FANNING, PRINCIPALS,
Opens its seventeenth scholastic year on Sept. 12, 1859. Male pupils of all ages are received and instructed in all branches preparatory to business or college. The number of pupils in all the departments is 200. The Principals are assisted in Classics, Mathematics, Natural Sciences, French, German, Spanish, Book-keeping, Drawing, Penmanship, Elocution, Composition, &c., by TEN experienced Professors and Instructors.

PARKER AND BERTHET'S SCHOOL,
No. 28 East 21st-st., corner of Broadway, will be reopened Sept. 12. Pupils are prepared for College or the counting-room. All the modern languages are taught by native professors, and in one department French is always spoken. There is a Primary department under an experienced female teacher. Circulars at Lockwood & Son's Bookstore, No. 411 Broadway.
DR. BERTHET, in accordance with the wishes of many of his former pupils, will resume his private lessons and adult classes in French, after 3 o'clock and in the evening. For terms, apply at the school-rooms.

BLOOMFIELD INSTITUTE—THE REV. E. DESEYMOUR, Principal. This boarding-school, situated at Bloomfield, N. J., within one hour's ride of New-York by railroad, will commence its 26th Term on Tuesday, Nov. 1, and continue five months. All the arrangements of the school are ordered to constitute a happy family and pleasant home. Experienced teachers are employed in all the departments, and special attention is paid to religious instruction. Circulars may be obtained of R. ROE & CO., No. 31 Gold-st., H. SEYMOUR, No. 52 Beekman-st., New-York, or of the Principal.

ELM PARK SCHOOL FOR BOYS—LITCHFIELD, CONN.—Conducted by Dr. RICHARDS & SON, assisted by WERNER EJERG, Esq. Boys fitted for college or business, and received in the family of Dr. R., at any age or grade of proficiency. For circulars, apply at the office of R. A. Watkinson, Esq., No. 30 Nassau-st., where Dr. Richards or a teacher may be consulted daily from 11 to 2. Terms moderate, and no extras. Session begins Nov. 1.

RAVENSWOOD FEMALE INSTITUTE, Ind., now in its twentieth session, combines every academic advantage afforded in the highest public seminaries, with the social privileges enjoyed in a private family circle. For beauty of position and sanitary advantages it is unsurpassed, and, though within view of Central Park, is perfectly secluded. Circulars mailed on application and dressed to Mrs. WM. JONES, Principal.

MAPLEWOOD YOUNG LADIES' INSTITUTE, Pittsfield, Mass., six hours' distant from New-York, commences its 5th semi-annual session Oct. 3, 1859, with experienced professors, large cabinets, spacious gymnasium, and location of unsurpassed beauty and salubrity. It offers very rare educational advantages. For circulars address the Principals, the Rev. C. V. SPEAR and the Rev. J. R. BOYD.

NEW-YORK ACADEMY FOR YOUNG LADIES—No. 472 Broadway, M. Y. BEAN, Principal. Instruction (full English course, modern languages, Latin, music, painting and drawing) not surpassed in the City. Academic year commences Sept. 13. Pupils admitted at any time. Those desiring instruction in special branches received at proportionate rates.

CHERRY VALLEY FEMALE ACADEMY, Cherry Valley, New-York, C. G. HAZELTINE and J. A. FOWLER, Principals. Next session will open Nov. 3. One of the Principals will be in New-York through the month of October, and can be consulted at No. 74 East 15th-st., or No. 244 Pearl-st., where catalogues can be found.

IRVING INSTITUTE, TARRYTOWN, N. Y.—A BOARDING-SCHOOL FOR BOYS.—The Forty-fourth semi-annual session will commence on Wednesday, Nov. 2. Circulars may be obtained of W. W. Rose, No. 68 Cedar-st., and of S. P. York, No. 79 Murray-st., New-York; also, by applying to the Principal, D. S. ROWE, M. A.

FRENCH PROTESTANT BOARDING AND DAY SCHOOL FOR YOUNG LADIES—No. 32 West 35th-st. Mrs. LEVERETT will reopen her school for the coming year on Wednesday, Sept. 15. A punctual attendance of the pupils is particularly requested. Applications may be made to Mrs. L., personally or by letter, at the above address.

JOHN MAC MULLEN TAKES THIS OPPORTUNITY of stating that, since the Primary Department of his School is full, he will not be able to receive any more pupils in that department. The names of all applicants will, however, be entered as they apply, and notice sent in that order of any vacancies that may occur.

HAMILTON MILITARY AND COLLEGIATE INSTITUTE, WHITEPLAINS, N. Y.—Gen. RUSSUS I. LOCKWOOD, Principal; H. HINDE, A. B., First Assistant. Term begins November 2. For circulars apply to Vanderbilt & Bros., No. 488 Broadway; and C. E. Delmold, Esq., Trinity Buildings; or to the Principal, at White Plains.

WHITE PLAINS GRAMMAR SCHOOL, WESTCHESTER COUNTY, N. Y.—The Winter term of this School will open Nov. 2. Number limited. Only extra charge for ancient or modern languages. Board and tuition unexceptionable. For circulars or information, apply to the Principal,
THOMAS C. O'REILLY.

MORN WACMULLIN'S CLASSICAL, FRENCH and English School, No. 800 Broadway, corner of 10th-st., reopens on Monday, Sept. 5. Miss SARAH SEDGWICK (formerly of 9th-st.) conducts the primary department with her well-known ability. Circulars at Bowen's, No. 599; Christern's, No. 763; and Lockwood's, No. 411 Broadway. Arrangements made for boarders.

$103 PER YEAR FOR THE BOARD AND tuition of a son or daughter at "Fort Edward Institute, N. Y." Brick buildings; able instructors and Christian discipline. Winter term of 14 weeks, Dec. 1. A teacher accompanies the pupils from New-York. Send for a circular. The Rev. JOSEPH E. KING, A. M., Principal.

NORWICH COLLEGIATE SCHOOL.—THE Winter session of this boarding-school for boys begins on the 2d of November. Its pecuniary facilities comprise a delightful location, pleasant accommodations, and first-class educational arrangements. Terms, $50 per quarter. For circulars, &c., address the Principal, the Rev. J. A. SAXTON, Norwich, Conn.

ROCKLAND FEMALE INSTITUTE.—THE Annual session of this first-class Seminary for young ladies has commenced. Two rooms are still at liberty, and may be secured by immediate application to L. D. & C. F. MANSFIELD, Principals, Nyack-on-the-Hudson, N. Y.

BOYS' BOARDING SCHOOL, NORWALK, CONN.—Terms $140 per annum. Winter Term commences November 1. Parents are respectfully invited to call and examine this school. Circulars sent, and inquiries answered on application to the Principal, C. H. WHEELER.

A FRENCH GENTLEMAN—DECORATED Colonel in the Staff of the French Army, and newly arrived in this country, is desirous to find pupils to teach them the French, his maternal language, and also the Spanish, with which he is conversant. Address P. E. D., Box No. 171 *Times* Office.

A YOUNG WIDOW LADY DESIRES A few pupils for instruction on the piano-forte; young beginners will be taken on very moderate terms; references of the first respectability. Address E. D. L., Brooklyn Post-office, or Box No. 106 *Times* Office.

MISS BULKLEY'S SEMINARY—TARRYTOWN, N. Y.—The Winter session of this boarding and day school will commence on Tuesday, Nov. 1. For circulars and other information, address Miss JANE R. BULKLEY, Principal.

BOARDING SCHOOL FOR BOYS—AT MT. Vernon, Westchester Co., N. Y., JOHN OAKLEY, Principal. Winter term commences Nov. 1. For circulars containing particulars, address the principal, or apply No. 45 Beekman-st., New-York.

$32 50.—ASHLAND INSTITUTE AND MUSICAL ACADEMY—Catskill Mountains. Students (either sex) received any time. Appointments for interviews may be left at No. 123 Nassau-st, up-stairs, until November 2.

FAMILY SCHOOL FOR BOYS AT BEDFORD, WESTCHESTER COUNTY, N. Y.—A. WILLAMSON, A. M., Principal. Number limited to twelve. Next session will open Nov. 1. Circulars may be had of W. Underhill, Esq., 182 Water-st., or of the Principal.

B. A. SMITH'S SCHOOL FOR BOYS—LEXington-av., near 37th-st. Instruction thorough in all branches; discipline efficient. Philosophical and chemical lectures, with apparatus. Terms $18 to $25 per quarter.

THE INSTITUTE, WHITE PLAINS, Reopens Nov. 2. The number of boarders (boys) is limited to twenty; no day-pupils.
A. WATSON, A. M., Principal.

TARRYTOWN INSTITUTE.—THE WINTER Term commences Nov. 1. Circulars can be obtained of E. GOODENOUGH, Esq., No. 122 Nassau-st., or of A. NEWMAN, A. M., Principal.

FRENCH LANGUAGE.—MME. VIGUIER DE MONTEIL is now forming her classes for beginners and advanced pupils. Private lessons. For circulars and references, apply at No. 52 East 20th-st.

AMENIA SEMINARY, AMENIA, DUTCHESS COUNTY, N. Y.—Rev. D. G. SAGE, A. M., Principal. First-class Boarding School for both sexes. Terms low. Circulars sent upon application.

MRS. MACAULAY, NO. 43 EAST 31ST-ST., (between Broadway and 4th-av.,) will reopen her French and English Boarding and Day School Monday, Sept. 19.

PELHAM ACADEMY—WESTCHESTER COUNTY, N. Y., will reopen for the Winter Session on MONDAY, Nov. 7, 1859. For terms, apply to G. I. CRAWFORD, A. B., Principal.

J. JAY GREENOUGH'S PRIVATE SCHOOL for Boys, with a Primary Department, No. 11 West 37th-st. Circulars at the Book Stores, or at No. 52 East 33d-st.

MISS F. B. PRIEST'S SCHOOL, NO. 177 East 16th-st., near Stuyvesant-square, will reopen on Monday, Sept. 19.

THE MISSES WALKER WILL RE-OPEN their Day School for young ladies, No. 122 Madison-av., one door below 32d-st., on MONDAY, Sept. 19.

SCHOOL FURNITURE.—MODERN STYLE OF school furniture manufactured and for sale by N. JOHNSON, No. 486 Hudson-st., New-York. Illustrated circulars forwarded on application by mail or otherwise.

TEACHERS.

WANTED—A TEACHER'S SITUATION, BY A young lady of many years experience, to teach the English, French and Latin languages in a school or private family, where she could receive lessons in music as part compensation; salary not so much an object as a good home; New-York or Brooklyn preferred. Address W., Box No. 1,621 Post-office, New-York. References satisfactory.

TEACHER.—A LADY FOR SEVERAL YEARS connected with one of the first schools in the city, competent to instruct in Latin, French, the higher mathematics, and usual English branches, desires a situation. Satisfactory references given. Address, with salary offered, Miss M. H. S. LAKE, Augusta, Me.

A FRENCH LADY, ACCUSTOMED TO teach her own language to foreigners, wishes a situation as visiting governess, or a few pupils to take private lessons. Testimonials of capacity and City references will be given. Address, until next Saturday, F. L. J., Box No. 167 *Times* Office.

A LADY EXPERIENCED IN TEACHING English, French, music, vocal and instrumental, desires a situation as resident governess in a private family; references of the highest respectability given and required. Address R. M., Box No. 1,701 General Post-office, New-York.

A LADY, EXPERIENCED IN TEACHING the English branches, French and music, desires to form an engagement as resident or visiting instructress. No objection to the South. References given and required. Apply to the lady of the house, No. 74 West 22d-st.

GOVERNESS.—A YOUNG LADY, WHO HAS had experience in teaching, desires a situation as governess in a family in New-York or Brooklyn; instruction given in music, English branches and French; City references given. Address L. P. M., No. 14 South Oxford-st., Brooklyn.

WANTED—A SITUATION AS TEACHER BY A lady who has had seven years' experience in teaching the piano, French, (which she speaks,) and English; is a fine musician. Address, with salary offered, INSTRUCTRESS, Box No. 166 *Times* Office.

A LADY, OF MUCH EXPERIENCE AS visiting governess, desires a situation; she teaches the usual English branches, and music. Terms very moderate. Will give musical lessons at $12 per quarter. Address TEACHER, Room No. 29 Cooper Institute.

WANTED—A FRENCH LADY TO TEACH THE French language in a young ladies' boarding-school a few miles from the City. Address D. B., Box No. 188 Post-office, Yonkers.

GROCERIES & PROVISIONS.

CASH CAPITAL, $50,000.—TEAS, WINES, Groceries, and Provisions, cheap for cash. Important to Families, Hotel and Restaurant Proprietors, Country Merchants, and the public at large. THOMAS R. AGNEW has the largest stock of choice Teas, Wines, Groceries, Flour, and Provisions to be found in New-York, at the lowest price. He imports his own Groceries and keeps FIFTY THOUSAND DOLLARS cash in his business, and is thereby enabled to undersell any man in New-York. Call and examine yourselves, compare your own interests, and buy your goods where you can get them cheapest and best. Just received:
800 bbls. New-Orleans Molasses,
100 bbls. Stuart's Syrup,
200 bbls. No. 1 Family Mackerel,
1,000 chests and half-chests of Green and Black Teas,
1,000 bbls. choice brands Family Flour.
Goods delivered to all parts of the City, free of charge.
THOMAS R. AGNEW,
Importer, Grocer, Flour and Tea Dealer,
Nos. 260 Greenwich and 89 Murray-st., New-York.

NEW SMYRNA FIGS.—RECEIVED BY LAST steamers. 100 cases prime new figs, including 20 cases of the Agas fig, the largest and finest flavored of any that come to this market. For sale by JOHNSON & BLISS, No. 193 Washington-st., corner of Fulton.

WINES AND LIQUORS.

50 BROAD-ST. 50 BROAD-ST.
CHAMPAGNE WINES,
FROM
BINET, FILS & CO.

TO THE PUBLIC:
We feel ourselves flattered by the preference accorded our house by Messrs. BINET, FILS & CO., in the appointment as their sole agents in the United States and the Canadas, for their celebrated original Green Seal Golden Sparg, and Champagne des Princes Wines; and, in presenting the same to the American public, we are confident that the discrimination of American connoisseurs and the impartiality of the public will justify us in the statement that we present a superior quality of wine, as pure and as elegant as any in the market, at a price pleading it within the means of all who may desire a perfect wine. The indispensable test is in the taste. These Champagne Wines of Messrs. Binet, Fils & Co. are free from all adulteration, made up on the extensive estates of Messrs. Binet, Fils & Co., at Reims, in France, and under their immediate supervision. Delicious, sparkling, refreshing and brilliant, having a fresh taste in the mouth, and not producing headache or feverish excitement when drank freely. We receive our shipments regularly from Messrs. Binet, Fils & Co., and offer the same to the trade at prices that cannot fail to give a decided preference when the quality is considered. A large stock always on hand.
TUAILLON, HAVARD & CO.,
Sole agents for No. 50 Broad-st.
BINET, FILS & Co., at Reims.

CHAMPAGNE WINES
OF
BINET, FILS & CO., Reims.
The great reputation and popularity which our Champagne Wines have enjoyed for many years in France, England and Russia, and the urgent request so often expressed by our American friends, that we should present the same to the American public, has induced us to forward a stock, and to appoint
Messrs. TUAILLON, HAVARD & CO., of New-York, our sole agent in the United States and the Canadas for the sale of the same, and we flatter ourselves that the excellent taste and judgment of American connoisseurs will award to our Binet, Fils & Co. Champagne a prominent position in the catalogue of wines celebrated for their superior qualities. We offer a pure and excellent wine, bright, sparkling, and possessing a fruity richness found only in a real grape wine. This Champagne enjoys a great reputation in Europe as an imperial court wine, and purchasers will observe that the medal of the Legion of Honor, awarded only to the Emperor for real merit and worth, is engraved on each label. No others are genuine.
Messrs. Tuaillon, Havard & Co. are our sole agents since Jan. 1 1859.
BINET, FILS & CO.

WELLINGTON & ABBOTT,
(Successors to A. Seignette & Co.,)
No. 17 WATER-ST.,
Sole Agents for
JULES ROBIN & CO. COGNAC.
ALEX. SEIGNETTE BRANDY.
GRAPELEAF GIN
DEWDROP GIN.

GUINNESS & SON'S EXTRA STOUT—For sale by their Agent,
C. A. HABICHT, No. 127 Pearl-st.

IRON AND HARDWARE.

BOYNTON'S SELF-CLEARING, SELF-PACKING AND VENTILATING GAS-TIGHT FURNACE
Has been thoroughly tested in this community for the last five years, and has proved itself to be the MOST DURABLE, ECONOMICAL and POPULAR FURNACE in market. Call and examine the merits of this Furnace, or send for descriptive circular, with references.
RICHARDSON, BOYNTON & CO.,
No. 260 Canal-st., New-York.

BUILDING MATERIALS.
J. B. & W. W. CORNELL & CO.'S
IRON WORKS,
Nos. 135 and 143 Centre-st., New-York.
J. B. & W. W. CORNELL & CO. are manufacturers of
IRON FRONTS for STORES, IRON BEAMS.
FIRE-PROOF CEILINGS, FLOORS and PARTITIONS.
CAST and WROUGHT IRON RAILINGS, for Dwellings, Offices, Parks and CEMETERIES, of various designs.
L. I. CADY'S PATENT CHILLED-IRON BANK VAULTS, DOORS and SAFES.
WINDOW LINTELS, CORNICES and COLUMNS.
CAST-IRON BEAMS and GIRDERS.
ROLLED ROLLED and RIVETED BEAMS, of various dimensions.
IRON DOORS, VAULT DOORS, SHUTTERS, SASHES, SKY LIGHTS and FLOOR LIGHTS.
Designs for any of the above will be furnished on application.

SWEDES IRON—ASSORTED, RECEIVED DIrect from the Swedish iron masters, by C. E. HABICHT, No. 127 Pearl-st.

NORWAY IRON.—BEST QUALITY FOR NAIL rods, received from Norway. For sale by
C. E. HABICHT, No. 127 Pearl-st.

BANCA TIN, INGOT COPPER, SPELTER, Antimony, Lead, Mt. Hope Cut Nails, &c.
JOHN W. QUINCY & CO., No. 96 William-st.

MACHINERY.

BEAUMONT'S STEAM GUAGES,
Perfectly reliable, handsomely made, and warranted, at
BEAUMONT'S BAROMETERS only $5 each.
CHAS. W. COPELAND, No. 122 Broadway, N. Y.

LOW-PRESSURE BOILERS.—TWO TUBular steam boilers for sale, containing about 1,400 feet of heating surface each; they will be sold separately or together, and subject to approval after trial. Apply to M. F. MERRITT, No. 74 Broadway.

COPARTNERSHIP NOTICES.

THE COPARTNERSHIP EXISTING BETWEEN the undersigned, under the firm name of HERRING, FLOYD & KIBBE, is this day dissolved by mutual consent.
SILAS C. HERRING,
JAMES R. FLOYD,
THEODORE C. KIBBE.
NEW-YORK, Oct. 29, 1859.
The manufacture and sale of Floyd's Patent Retort Covers and Sabbaton's Patent Door and Frame will be continued by Silas C. Herring and James R. Floyd, under the firm name of HERRING & FLOYD, at the Oregon iron Foundry, Nos. 740, 742 and 744 Greenwich-st. All orders through Theodore C. Kibbe will receive prompt attention.

NOTICE.—THE FIRM OF MILLEMANN, WHITE & WEEKS is this day dissolved in pursuance of the partnership agreement, and the old business of the firm will be settled by either of the undersigned, to whom all payments are required to be made.—Dated New-York, Oct. 28, 1859.
CROMWELL T. WHITE,
JOHN HENRY WEEKS.
NEW-YORK, Oct. 24, 1859.

MR. CHARLES D. DICKEY, OF MOBILE, has become a partner in our houses.
BROWN BROTHERS & CO.

THOMAS GARNER, JR., IS THIS DAY admitted a member of our firm.
NEW-YORK, Oct. 20, 1859.
GARNER & CO.

AT JONES' NOS. 10 AND 12 ANN-STREET—French Calf Dress Boots at $4; Double-soled Water-proof Boots, $4 50. Call and see them before purchasing.

FINANCIAL.

JOHN MUNROE & CO.,
AMERICAN BANKERS,
NO. 8 RUE DE LA PAIX, PARIS, AND
NO. 8 WALL-ST., NEW-YORK,
GRANT LETTERS OF CREDIT FOR MERCANTILE PURPOSES. Also, CIRCULAR LETTERS OF CREDIT on all the principal Towns and Cities of

FRANCE,	BELGIUM,	ITALY,
GREAT BRITAIN,	SPAIN,	GERMANY,
IRELAND,	PORTUGAL,	RUSSIA,
HOLLAND,	SWITZERLAND,	SWEDEN;

ALSO ON

ATHENS,	CONSTANTINOPLE,	ALEXANDRIA,
CAIRO,	BEYROUT,	JERUSALEM,
	&c., &c.	

BILLS ON PARIS, and Sterling Bills, at short or 30 days' sights, for sale in sums to suit.

REMITTANCES TO ENGLAND,
IRELAND, SCOTLAND AND WALES.
Sight bills on the
UNION BANK OF LONDON,
BANK OF LIVERPOOL,
NATIONAL BANK OF SCOTLAND,
BELFAST BANKING COMPANY, Ireland,
in sums from £1 upwards.
Issued by
TAYLOR BROTHERS, Bankers,
No. 76 Wall-st., New-York.

DUNCAN, SHERMAN & CO.,
BANKERS,
CORNER PINE AND NASSAU STS., NEW-YORK,
ISSUE
CIRCULAR NOTES AND LETTERS OF CREDIT for travelers, available in all the principal cities of the world.

AUGUST BELMONT & CO.,
BANKERS,
No. 50 Wall-st.,
issue letters of credit for travelers available in all parts of the world, through the Messrs. Rothschilds of Paris, London, Frankfort, Naples, and Vienna, and their correspondents.

UNION DIME SAVINGS BANK,
No. 429 Canal-st., corner of Varick-st.
Open daily from 10 A. M. to 2 P. M., and from 5 to 7 P. M. Amounts from 10 cents to $5,000 received. Deposits made on or before Oct. 29 will draw interest from Oct. 1. Six per cent allowed. E. W. LEAVITT, President; GEORGE SEELEY and JOHN McLEAN, Vice-Presidents. G. S. CASPIN, Secretary; S. L. HULL, Attorney.

LAND WARRANTS
FOR SALE.
All the sizes, by
TAYLOR BROTHERS, Bankers,
No. 76 WALL-st., corner of Pearl.

EUGENE THOMPSON,
AUCTIONEER AND BROKER,
No. 37 William-st., buys and sells Stocks and Bonds at Brokers' Board; Insurance Stock at private sale. Price current of Insurance Stock furnished on application.

OFFICE OF THE ILLINOIS CENTRAL RAILROAD CO.,
NEW-YORK, Oct. 28, 1859.
THE SUBSCRIBER, IN PURSUANCE OF a resolution approved by the Board of Directors of the Illinois Central Railroad Company, will sell, through E. H. LUDLOW & CO., auctioneers, at the Merchants' Exchange, in the City of New-York, on THURSDAY, the 15th day of December next, at 12 o'clock meridian, the following parcels or the Stock of the said Company, (unless the instalments now due are previously paid,) standing in the names of stockholders who have neglected to make payment of the instalments called thereon, upon the requisition of the Board of Directors, made pursuant to the act incorporating said Company, viz:

	Shares.	No. Certificate.
James Aiken	83	642 & 646
Jandenext Bondt	10	3507
Robert Benson & Co	10	1297
John Baines	7	1725
John Peter Grant Dallas	117	1513
Rev. H. Ward, (on London Books)	150	—
E. F. Satterthwaite	3	5137
R. Raphael & Sons	10	4434
Frederick Ludwig C. Von Veiy		
Jungken	12	1797, 1798
A. S. Van Raalte & Son	20	3642, 3552
William Flint	½	25
Frank Tulingar	½	26
Andrew Buchanan	½	51
John Crerar	1	3249
Duncan, Sherman & Co	50	3321, 3132, 3315
Samuel Jones, Trustee	9	462
Otto Welschin	20	5317, 5375
Magdalen Isaacs	4	109, 4106
P. E. Norton	47	225, 5341
Milton McConnell	½	3
Total shares	555	

The sale will be for cash, and the company will issue new certificates to the purchasers. By order of the Board.
J. N. PERKINS, Treasurer.

NOTICE IS HEREBY GIVEN THAT BOOKS for the subscription of $250,000 as additional stock to the MECHANICS' BANK of Missouri, at St. Louis, will be opened at the Bank of America, in this City, on and after Monday, the 24th inst.
The authorized capital of this Bank is $1,500,000, of which $757,425 has been taken and paid up by the citizens of Missouri. This Bank has been in operation over two years—was the only Bank west of the Mississippi that did not suspend specie payments in 1857. Regular half-yearly dividends of five per cent, have been declared, with an accumulated surplus of $34,442. The charter is liberal in its provisions, has not the personal liability clause, and has 25 years to run. St. Louis is considered one of the safest and best points in the West for Banking operations. But few better opportunities for investment are offered. The attention of capitalists and others is called to the subject. Ten per cent. will be required to be paid at the time of subscribing, the residue within the next ensuing year, as the Directors may call on due notice, but may all be paid up at the option of the subscriber. *Pro rata* dividends will be paid to subscribers from the day of payment. Dividends to Eastern stockholders will be paid in New-York. Persons desiring other and further information, will obtain the same by applying at the Bank of America.
J. W. WILLS, President.
NEW-YORK, Oct. 22, 1859.

CITY OF NEW-YORK, DEPARTMENT OF FINANCE,
COMPTROLLER'S OFFICE, Oct. 19, 1859.
REDEMPTION OF $2,500,000 OF NEW-YORK CITY STOCKS.—Notice is hereby given to holders of "The Water Stock of the City of New-York," redeemable on the first day of January, 1860, that the same will be purchased at par, and interest, by "The Commissioners of the Sinking Fund for the Redemption of the City Debt," on presentation of the proper certificates, and transferring said Stock at the office of the Comptroller, between the hours of 12 and 2 o'clock, on and after this day.
Holders of said Stock desiring to avail themselves of this proposal are requested to present, in the form of an account against "The Commissioners of the Sinking Fund of the City of New-York" statements of their certificates, with the interest due thereon, computed to the next day after the application is presented, to afford time for examining the same, and preparing the necessary warrants therefor.
ROBERT T. HAWS,
Comptroller.

FULTON COUNTY (ILL.) BONDS.—THE Bonds issued by Fulton County, Ill., for $1,000 each, to the JACKSONVILLE AND SANGAMON RAILROAD COMPANY, are offered for sale by the undersigned. They bear Eight per Cent. interest, payable annually on the 1st of July at the American Exchange Bank, in this City, and have 20 years to run from Oct. 15, 1857. The interest has always been promptly paid, and that which matures the 1st of July, 1860, has already been assessed by the County Court and the taxes in the hands of the collector. Fulton County has also created a sinking fund for the redemption of these Bonds, and levied a half-mill tax on the whole taxable property of the county, now over $9,000,000. This county has 35,000 population, and is one of the wealthiest and most enterprising in the State of Illinois. Any further information desired, can be had upon application to the undersigned. No safer security has ever been offered upon this market.
GEO. T. M. DAVIS, No. 47 Exchange-place.

NOTICE.—THE INTEREST DUE ON THE FIRST Mortgage Bonds, issued by the La Crosse and Milwaukee Railroad Company, due Nov. 1, 1859, will not be paid on that day.
The earnings of the road during the present year have been fifty per cent. less than estimated or anticipated, while the necessary expenses of operating and maintaining the road, with the additional expense of right-of-way, which became absolutely necessary to run the road, have been such as to compel me to ask indulgence, authorized by the terms of the mortgage (sixty days) which, I trust, will be time enough for the earnings of the road to be sufficient to pay said interest. Notice of the time and place of payment will be duly published.
S. CHAMBERS, JUN.,
Mortgagee in Possession.

THE PARK BANK.—NEW-YORK, OCT. 27, '59.—The public are cautioned against negotiating the following described paper, to wit: Thompson & Morrison's note at 6 months' sight, $156; Bank of British North America on Ferguson & Grain, three days' sight, $218 90; note of Howes, Hyatt & Co., due Nov. 14, $699 45; note of Lyman Sears & Co., due Nov. 15, $349 20; note of Brumley & Kellogg, due Nov. 15, $400; note of Bradley & Metcalf, due Nov. 15, $801 20. Said paper having been mailed at Boston on the 14th inst., and lost in the mail.
CHARLES A. MACY, Cashier.

CITY OF NEW-YORK, DEPARTMENT OF FINANCE,
COMPTROLLER'S OFFICE, Oct. 4, 1859.
INTEREST ON CITY STOCKS.—THE INTEREST on the Stocks of the Corporation of the City of New-York, due Nov. 1, 1859, will be paid on that day at the Shoe and Leather Bank, by A. Y. Stout, Chamberlain. The Transfer Books will be closed on Wednesday, the 12th inst. For the accommodation of Stockholders, transfers will be permitted during the period the books remain closed, to take effect Nov. 1.
ROBT. T. HAWS, Comptroller.

NEPTUNE INSURANCE COMPANY.—THE Subscribers to the Capital Stock of the above Company are hereby requested to call at the Park Bank to pay in their subscriptions: the first installment of fifty per cent. on Tuesday the first of November, and the remaining fifty per cent. on Thursday, the tenth day of the same month.
A. R. VAN NEST,
F. ALEXANDER,
R. W. HOWES,
Commissioners.

BANK FOR SAVINGS, No. 67 BLEECKER-ST.,
October 25, 1859.
NOTICE TO DEPOSITORS.—IN ORDER TO avoid and correct incidental errors, and to furnish information that is wanted, the Trustees request the depositors in this Institution, having accounts not acted on for more than seven years, to send their pass-books to the Bank to be written up. By direction of the Trustees.
JAMES DE PEYSTER OGDEN, Sec.

OFFICE OF THE NEW-YORK GAS-LIGHT COMPANY,
Oct. 24, 1859.
THE PRESIDENT AND DIRECTORS have this day declared a dividend of Ten Dollars Per Share on the Capital Stock of the Company, payable to the Stockholders on and after Tuesday, 1st November next. The transfer book will be closed until that date. By order.
C. L. EVERITT, Secretary.

FULTON BANK, NEW-YORK, Oct. 15, 1859.
A SEMI-ANNUAL DIVIDEND OF FIVE PER Cent. has this day been declared from the earnings of the Bank during the last six months, payable on and after the 1st November next. The transfer books will be closed from the 21st inst. to the 1st Nov. By order of the Board of Directors.
R. M. BUCHANAN,
Assistant Cashier.

$9,900.—FOR SALE—FOUR FIRST MORTgages, on improved and eligibly located business property in Utica, N. Y., valued at twice the amount. Satisfactory vouchers as to valuation will be produced. These mortgages draw seven per cent. interest, payable semi-annually in this City. Apply to R. N. HAVENS & BROTHER, No. 17 Nassau-st.

CENTRAL RAILROAD CO. OF NEW-JERSEY,
NEW-YORK, Oct. 27, 1859.
INTEREST.—THE INTEREST COUPONS OF THE Second Mortgage Bonds due the 1st day of November next, will be paid at the office of the Company, No. 60 Wall-st., on and after that date.
G. M. MILLIGAN, Treasurer.

FINANCIAL.

OFFICE OF THE NEW-YORK AND NEW-HAVEN RAILROAD CO., CORNER 4TH-AV. AND 27TH-ST.,
NEW-YORK, Oct. 27, 1859.
NOTICE TO BONDHOLDERS.—THIS COMpany offers to the holders of its bonds, due Dec. 1, 1860, one-half cash and the balance in first and only mortgage bonds, due in 1875, upon terms which it is believed may be satisfactory to the holders. For particulars inquire at the Treasurer's office.
W. BEMENT, Treasurer.

MECHANICS' AND TRADERS' BANK, No. 153 Bowery,
NEW-YORK, Oct. 18, 1859.
DIVIDEND.—A DIVIDEND OF THREE AND A half per Cent. on the capital stock of this Institution has been declared, payable on and after Nov. 1 next. By order of the Board. GEO. W. YOULE, Cashier.

HARDWARE, METAL AND IRON PAPER.—Parties having any to dispose of will find it for their interest to apply to P. W. GALLAUDET, Note Broker, No. 64 Wall-st. Advances made on good business paper.

HOLDERS OF THE COUPONS OF THE MISSISSIPPI CENTRAL RAILROAD COMPANY, due Nov. 1 next, will present the same for payment to ANDREW H. GREEN, No. 43 Wall-st.
OCTOBER 25, 1859.

COLUMBUS, PIQUA AND INDIANA RAILROAD 1st mortgage bonds; also, American and Wells, Fargo & Co. Express Companies and United States Sugar Refining stocks wanted by
ALBERT H. NICOLAY, No. 52 William-st.

$200 WANTED FOR THIRTY DAYS.—Thirty dollars will be given for the use of the money if got to-day. Security undoubted. Address LOAN, Box No. 101 *Times* Office.

BILLS £1 UPWARDS ON UNION BANK, London, and Royal Bank of Ireland, for sale by
WELLS, FARGO & CO.,
No. 82 Broadway.

ALL KINDS OF STOCKS, BONDS, &c., bought and sold at Brokers' Board, or private, sale, by THOMAS DENNY & CO., No. 39 Wall-st.

SIGHT AND TIME BILLS ON ALL THE Southern cities, purchased by
DUNCAN, SHERMAN & CO.

RAILROADS.

NEW-YORK AND HARLEM RAILROAD.
SUMMER ARRANGEMENT.
On and after Wednesday, Sept. 21, 1859, trains will leave 26th-st. Station, New-York, as follows:
For Williams' Bridge—7.45 A. M.; 2.30 P. M.; 4.30 P. M. For White Plains—12.30 P. M.; 5 P. M., 6.15 P. M.; from White and Dover Plains, etc. For Dover Plains—2 P. M. For Albany—8.30 A. M.—Mail Train.
RETURNING, WILL LEAVE
Dover Plains—6.30 A. M.
White Plains—7.10 A. M.; 7 A. M.; 5 P. M.
Williams' Bridge—6.40 and 9.50 A. M.; 1 and 3.40 P. M.
Albany—6.15 A. M.—Mail Train.
WM. J. CAMPBELL, Superintendent.

NEW-YORK AND ERIE RAILROAD.—ON and after MONDAY, Sept. 19, 1859, Passenger Trains leave Pier foot of Duane-st. as follows:—Express Train at 6 A. M. for Dunkirk and Buffalo, connecting at Dunkirk with the Lake Shore Railroad for Cleveland, Cincinnati, Toledo, Detroit, Chicago, &c., and the Canada Railroads.
Mail Train at 9.30 A. M., for Dunkirk, Buffalo, Cleveland, and principal intermediate stations.
Night Express at 4.30 P. M., for Dunkirk, Buffalo, Cleveland, and principal intermediate stations. Night Express at 4.30 P. M., for Dunkirk, Buffalo, Cleveland, and principal intermediate stations. Night Express at 4.30 P. M., for Dunkirk, Buffalo, Cleveland, and principal intermediate stations. Night Express at 4.30 P. M., for Dunkirk, Buffalo, Cleveland, and principal intermediate stations.